

A scenic landscape photograph of a lake and mountains. The sky is filled with heavy, grey clouds. In the background, a range of mountains is visible, with the upper peaks covered in snow. The middle ground is dominated by a calm, blue lake that reflects the sky. In the foreground, there are rocky, brownish hills with patches of snow. The overall tone is somewhat somber due to the cloudy sky.

CHAPTER FIVE

CONSULTATION & COORDINATION

5 CONSULTATION AND COORDINATION

5.1 INTRODUCTION

This chapter describes Reclamation's public involvement program and coordination with specific federal, state and local agencies, non-governmental organizations and the general public for the preparation of this FEIS.

5.2 GENERAL PUBLIC INVOLVEMENT ACTIVITIES

The public involvement program leading to this FEIS consisted essentially of two phases: project scoping and public hearings and public review of the DEIS.

5.2.1 PROJECT SCOPING

In 1999, Reclamation conducted a public scoping process that featured public scoping meetings to inform interested parties of the purpose and need for the development of interim surplus criteria, and to obtain public comment to assist in identifying the scope of the proposed action and environmental issues to be addressed in the DEIS. The scoping meetings were held in June 1999 in Las Vegas, Nevada; Phoenix, Arizona; Ontario, California; and Salt Lake City, Utah. The meetings were announced in *Federal Register* notices on May 18, 1999 and May 28, 1999, on Reclamation's Lower Colorado Region internet website and by a press release on May 28, 1999. The press release was mailed not only to the media but also to hundreds of federal, state and local agencies, non-governmental organizations and private citizens known to have an interest in Colorado River operations. The public was asked to identify any concerns about development and implementation of the interim surplus criteria.

Public comments in the form of letters to Reclamation (35 letters) and oral responses at the scoping meetings (eight presenters) expressed numerous concerns regarding the effect of the proposed interim surplus criteria on the future quantity of water available from the Colorado River, and other resource issues. Attachment R to this DEIS contains details of the scoping process and a digest of the public comments that resulted from the scoping process. Based on the scoping comments, Reclamation issued a Notice of Intent to prepare this DEIS in the *Federal Register* on December 7, 1999.

Reclamation also discussed the development of the proposed interim surplus criteria with various agencies and groups at their own regular meetings or at meetings set up by Reclamation. Included were Indian Tribes and Indian Communities having allocations of Colorado River water, Basin States water resource departments, various water agencies within the states, contractors for federal hydropower, environmental groups and water agencies of Mexico. The coordination activities with each agency or group are summarized below in this chapter. Table 5-1 in Section 5.8 lists the agencies and

organizations that were invited to such meetings by letter, and/or met with Reclamation regarding interim surplus criteria on other occasions.

5.2.2 PUBLIC REVIEW OF DEIS

The DEIS was distributed to interested federal, Tribal, state and local entities and members of the general public for a 60-day review when it was filed with EPA on July 7, 2000, and announced in the *Federal Register*. The DEIS was sent to 407 interested parties on Reclamation's mailing list, and a copy of the DEIS was made available for public viewing on Reclamation's Lower Colorado Region website. Reclamation conducted a public technical meeting at Las Vegas, Nevada on August 15, 2000, to provide information and answer questions regarding the modeling process for analysis in the DEIS. Between August 21 and August 24, 2000, Reclamation conducted public hearings on the DEIS in Ontario, California; Las Vegas, Nevada; Salt Lake City, Utah; and Phoenix, Arizona. Public comments from the hearings are noted in Volume III of this FEIS. The DEIS was available for public viewing on Reclamation's website (www.lc.usbv.gov). The FEIS is now available at the same website.

When the public review period closed on September 8, 2000, Reclamation had received 68 comment letters from the public, which are reproduced in Volume III of this FEIS. Individual comments from the public resulted in technical and editorial changes to the document. These included a change in the baseline operating strategy, better definition of Tribal water rights and diversions, inclusion of the Basin States Alternative and refinements in descriptions of alternatives and operational modeling results. Reclamation's response to each comment is included in Volume III.

After the DEIS was completed and ready for public review and comment, Reclamation received the document "Interim Surplus Guidelines, Working Draft" from the Seven Basin States (Seven States Proposal). Reclamation made a preliminary review of the specific surplus criteria in the information presented by the Basin States and made a preliminary determination that the criteria were within the range of alternatives and impacts analyzed in the DEIS. After its review of the Seven States Proposal, Reclamation published it in the *Federal Register* of August 8, 2000 for review and consideration by the public during the public review period for the DEIS.

5.3 FEDERAL AGENCY COORDINATION

5.3.1 NATIONAL PARK SERVICE

As noted in Section 1.1.5, NPS is a cooperating agency with Reclamation for the purpose of NEPA compliance for the interim surplus criteria, in recognition of its administration of national park and recreation areas along the Colorado River corridor. NPS staff participated in numerous meetings with Reclamation's project evaluation team and participated in internal document reviews as sections of the DEIS were being prepared. This facilitated close coordination with the NPS regarding resources and

facilities potentially affected and the nature of the effects. The NPS offices involved in these activities are those at the GCNRA, Grand Canyon National Park and the LMNRA, under the coordination of the office at the GCNRA.

5.3.2 UNITED STATES SECTION OF THE INTERNATIONAL BOUNDARY AND WATER COMMISSION

As noted in Section 1.1.5, the United States Section of the International Boundary and Water Commission (USIBWC) is a cooperating agency with Reclamation for the purposes of NEPA compliance for the interim surplus criteria, in recognition of its administration of Treaty obligations with Mexico. As such, USIBWC staff participated in numerous meetings with Reclamation's project evaluation team and participated in internal document reviews as sections of the DEIS were being prepared. This facilitated close coordination with the USIBWC in developing information needed for this FEIS and in Reclamation's participation in the consultation with Mexico as discussed below in Section 5.7. The USIBWC head office in El Paso, Texas was directly involved.

5.3.3 UNITED STATES BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs (BIA) administers programs to promote Tribal economic opportunity and to protect and improve Indian Trust Assets. The BIA assisted Reclamation with the Tribal consultation described in Section 5.4 and generally served in an advisory capacity to the Tribes. Through letters of comment on the DEIS, the BIA further amplified Tribal concerns regarding Colorado River operations and the interim surplus criteria.

5.3.4 UNITED STATES FISH AND WILDLIFE SERVICE INCLUDING ENDANGERED SPECIES ACT COMPLIANCE

Under Section 7(a)(2) of the Endangered Species Act (ESA), 16 U.S.C. § 1536 (a)(2), each federal agency must, in consultation with the Secretary (either the Secretary of Commerce through the National Marine Fisheries Service (NMFS) or the Secretary of the Interior through the U.S. Fish and Wildlife Service (Service), insure that any discretionary action authorized, funded or carried out by the agency is not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat. To assist agencies in complying with the requirements of Section 7(a)(2), ESA's implementing regulations set out a detailed consultation process for determining the biological impacts of a proposed discretionary activity. The consultation process is described in regulations promulgated at 50 CFR § 402.

Adoption of specific interim surplus criteria by the Secretary is a discretionary federal action and is, therefore, subject to compliance with the ESA. On May 22, 2000, Reclamation provided the Service with a memorandum identifying listed or proposed species and designated critical habitat that may be present in the action area. The

Service provided a response to Reclamation on June 5, 2000, which concurred with Reclamation's list and added two species: Bald Eagle and Desert Pupfish. This information was used to assess potential effects of the proposed interim surplus criteria. Copies of this correspondence are in Attachment S.

Reclamation has prepared a BA which addresses the effects of both interim surplus criteria and the California Water Transfers (USBR, 2000), to reduce the consultation time frame on these two independent operational actions on the lower Colorado River. The BA and memorandum requesting formal consultation were mailed to the Service on August 31, 2000.

The action area for the BA identified above is the 100-year floodplain of the Colorado River to the SIB and the full pool elevations of lakes Mead, Mohave and Havasu. Implementation of the interim surplus criteria is not expected to affect any listed species upriver of Lake Mead (full pool elevation) nor impact implementation of any provisions of the existing BO on the operation of Glen Canyon Dam. Within the United States, implementation of interim surplus criteria is not anticipated to affect any listed species in areas beyond the 100-year floodplain of the lower Colorado River and the full pool elevations of lakes Mead, Mohave and Havasu. Consultation with the Service is in progress and the results of the consultation will be identified in the ROD.

Preliminary evaluations of the effects of adopting interim surplus criteria on listed species which may be present in the river corridor below Glen Canyon Dam led to the conclusion that there would be no affect. More recent output, resulting from refinement of the model used to predict future dam operations and riverflows, indicated that there would be a minor change in the frequency with which flows recommended by the 1995 biological opinion would be triggered, but that such changes would not adversely affect any listed species between Glen Canyon and Lake Mead. Reclamation is consulting with the Service on these changes.

Reclamation is also consulting with the Service regarding special status species in Mexico, which are discussed in Section 3.16. To facilitate consultation, Reclamation prepared a BA Supplement addressing the potential effects of interim surplus criteria (USBR, 2000), along the Colorado River corridor in Mexico from the SIB to the Sea of Cortez. Consultation is in progress and the results of the consultation will be identified in the ROD.

5.3.5 NATIONAL MARINE FISHERIES SERVICE

The NMFS administers programs that support the domestic and international conservation and management of living marine resources. Under Section 7(a)(2) of the ESA, NMFS is the responsible federal agency for consultation on special status marine species. Reclamation consulted with NMFS regarding the special status fish at the upper end of the Sea of Cortez, which are discussed in Section 3.16. The consultation was facilitated by a BA supplementing the BA described in Section 5.3.4 (USBR,

2000). Consultation is in progress and the results of the consultation will be identified in the ROD.

5.3.6 NATIONAL HISTORIC PRESERVATION ACT COMPLIANCE

As mentioned in Section 3.13 for Cultural Resources, Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, requires all federal agencies to take into account the effects of their actions on historic properties, and to afford the Advisory Council on Historic Preservation (Council) a reasonable opportunity to comment when an action will have an effect on historic properties. The Council's recommended approach for consultation for the Protection of Historic Properties is found in 36 CFR 800 (FR Vol. 64, No. 95, May 18, 1999, pages 27071-27084).

The first step of the Section 106 process, as set forth in 36 CFR 800.3(a), is for the Agency Official to determine whether the proposed federal action is an undertaking as defined in §800.16(y) and, if so, whether it is a type of activity that has the potential to cause effects to historic properties. Reclamation has determined development and implementation of interim surplus criteria meets the definition of an undertaking, but an undertaking that is without potential to affect historic properties. Reclamation's determination and the rationale for its decision are documented in Section 3.13. Per 36 CFR 800.3(a)(1), if the undertaking does not have the potential to cause effects on historic properties, the agency official has no further obligations under Section 106 or this part and Reclamation has fulfilled its responsibilities to take into account the effects of the development and implementation of interim surplus criteria on historic properties.

The Nevada State Historic Preservation Officer (SHPO) submitted written comments on the cultural resources section of the DEIS. The SHPO has indicated they do not agree with Reclamation's position in the DEIS that development and implementation of interim surplus criteria are undertakings without potential to affect historic properties. Therefore, compliance with the consultation requirements of the NHPA is not necessary.

The Nevada SHPO has stated that their opportunity to comment on effects to historic properties has been precluded by Reclamation and Interior's finding, and have asked that the matter be referred to the Council. Under the implementing regulations for Section 106, when there is a disagreement between an agency and a SHPO concerning the effect of an undertaking, the matter must be referred to the Council for comment and resolution. Reclamation believes the Council will agree with the Nevada SHPO that Section 106 compliance is necessary for this proposed action. Reclamation's position is that this is not an action requiring Section 106 compliance, but more appropriately falls under Section 110 of the NHPA.

Reclamation has prepared a memorandum discussing this issue and has forwarded it to the Council for review and further consultation.

5.4 TRIBAL CONSULTATION

As discussed in Section 3.14, Indian Trust Assets, Reclamation has been coordinating river operations with the Indian Tribes and Communities who have entitlements to or contracts for Colorado River water, and those that may be affected by the proposed action. Representatives of various Tribes attended the scoping meetings in May 1999, and some provided Reclamation with written comments on the proposal for interim surplus criteria. Beginning in May 1999, Reclamation has had numerous meetings with the various Tribes who have an interest in the implementation of the interim surplus criteria. The Tribes and Communities fall generally into four groups: 1) the Colorado River Basin Indian Tribes (Ten Tribes Partnership) who have diversion rights from the Colorado River mainstream and various tributaries; 2) the Tribes and Communities of central Arizona that are served by CAP facilities; 3) the Tribes in the Coachella Valley Consortium of Mission Indians; and 4) other Tribes or Indian Communities who do not have a Colorado River water entitlement but nevertheless have an interest in the availability and distribution of Colorado River water. The individual Tribes and Indian Communities in each of these groups are listed on Table 5-1 at the end of this chapter.

A primary concern of the Ten Tribes Partnership was that Tribal water rights be clearly acknowledged and that the diversion point(s) for each Tribe be included in the operational model so as to more accurately reflect Tribal diversions in the modeling. Other concerns included over-reliance on unused Tribal water allocations by non-tribal diverters and Lake Powell water level fluctuations with respect to resort development opportunity. Reclamation provided financial assistance to the Ten Tribes Partnership to assist the Tribes in cataloging their Colorado River depletion rights and conducting an active coordination process with Reclamation in connection with the interim surplus criteria. Using information provided by the Tribes, Reclamation added the diversion points to the model, as discussed in Sections 3.3 and 3.4.

5.5 STATE AND LOCAL WATER AND POWER AGENCIES COORDINATION

Since the May 18, 1999 *Federal Register* notice announcing the development of interim surplus criteria, Reclamation has had various discussions with state and local water and power agencies regarding the proposed action. However, development of surplus criteria has been the subject of discussions for many years prior to 1999. Reclamation meets regularly with representatives of the Basin States, Indian Tribes and Communities, environmental organizations and other stakeholders as part of the CRMWG. Reclamation coordinates the development of the AOP for the Colorado

River system through this group as required by federal law. It was through such coordination actions that Reclamation originally presented the alternative surplus strategies described in Section 2.2.1, Operating Strategies for Surplus Determination.

The Basin States provided Reclamation with projections of the future depletions of the Colorado River water anticipated by water agencies in each state. The Upper Colorado River Commission compiled Upper Basin depletions, and the Lower Division states compiled their respective depletions. The projections were used as input to Reclamation's operational modeling analysis, as discussed in Section 3.3.

Reclamation also conducted coordination with water agencies in southern California regarding the environmental documentation being prepared for various components of California's Colorado River Water Use Plan.

In the early summer of 2000, the seven Basin States acting as a group, independent from Reclamation, formulated the Seven States proposal for interim surplus criteria which they provided to Reclamation after the DEIS was prepared, as discussed above in Section 5.2.2. Letters of comment on the DEIS from some of the Basin States contained additional commentary on the draft proposal.

5.6 NON-GOVERNMENTAL ORGANIZATIONS COORDINATION

Several environmental organizations have expressed interest in the project and have attended one or more public and independent meetings with Reclamation. The Pacific Institute, representing a consortium of environmental organizations, submitted an interim surplus criteria proposal to Reclamation in February 2000, which is in Attachment G. As discussed in Section 2.2.3, the proposal included an additional allocation of water to Mexico for environmental purposes. The Pacific Institute's interest in the project and coordinating role among the other environmental groups contributed to the coordination with Reclamation by various other non-governmental organizations, which are cited on Table 5-1 at the end of this chapter. In addition, through the CRMWG and other mechanisms, Reclamation worked with the various non-governmental organizations during the NEPA process. Specifically, Reclamation met with members of the organizations noted in Table 5-1 at their request, to discuss environmental and technical issues.

5.7 MEXICO CONSULTATION

Pursuant to an international agreement for mandatory reciprocal consultations, the USIBWC has begun consultation with Mexico regarding the proposed interim surplus criteria. Reclamation has assisted USIBWC in conducting this consultation by providing information on the proposed interim surplus criteria and by participating in briefings with the Mexico Section of the IBWC and the Mexico National Water Commission. Meetings with representatives of Mexico were conducted in April and

May 2000, during which representatives of Mexico provided their concerns regarding the potential effects of the interim surplus criteria.

The USIBWC has prepared Terms of Reference for consultation with Mexico, which are contained in Attachment T, together with correspondence from Mexico during the scoping phase of the project. Coordination with Mexico during the DEIS review phase has consisted of several letters from the government of Mexico and public agencies in Mexico, which are reproduced in Volume III of the DEIS.

Discussion with Mexico took place on November 14, 2000 concerning comments from Mexico. There was understanding that the consultation with Mexico through IBWC in the form of technical working groups will continue a forum for technical discussion to carry out, in the context of international comity, joint cooperation projects in support of the Colorado River riparian ecology to the Gulf of California that could have a benefit to the United States and Mexico.

Executive Order 12114 instructs federal agencies to investigate the effects of federal actions in other countries. Reclamation has analyzed and documented the effects of the proposed interim surplus criteria on natural resources in Mexico. This analysis will provide an analytical tool for identifying those potential impacts that extend across the international border and affect Mexico's natural and physical environment. This approach is fully consistent with CEQ guidance on NEPA analyses for transboundary impacts, dated July 1, 1997. Detailed information on this analysis is addressed in Chapter 3.16.

5.8 SUMMARY OF COORDINATION CONTACTS

Table 5-1 lists the agencies and organizations with which Reclamation coordinated through meetings and other personal contacts during the scoping and preparation period of this FEIS.

Table 5-1
Participants With Reclamation Regarding The
Interim Surplus Criteria Environmental Impact Statement Process

Agency or Organization Invited to or Requesting Meetings	Meetings
Federal Agencies	
National Park Service – <i>Cooperating Agency</i>	Various plan formulation and evaluation meetings
United States Section of the International Boundary and Water Commission – <i>Cooperating Agency</i>	Various plan formulation and evaluation meetings; Briefings for Mexico
Bureau of Indian Affairs	5/26/99, 12/15/99, 1/21/00, 2/24/00, 8/30/00
Environmental Protection Agency	6/15/99, 8/30/00
U.S. Fish And Wildlife Service	Various Consultation Meetings on ESA Compliance
National Marine Fisheries Service	Consultation on Special Status Species in the Sea of Cortez, 10/12/00
Geological Survey	6/15/99, 8/15/00
Western Area Power Administration	6/15/99, 8/15/00
Tribal Coordination – Ten Tribes Partnership	
Chemehuevi Tribe	5/26/99, 6/15/99, 11/16/99, 12/15/99, 2/24/00, 2/25/00, 8/4/00
Cocopah Indian Tribe	5/26/99, 6/15/99, 11/16/99, 2/15/99, 2/24/00, 2/25/00, 8/3/00
Colorado River Indian Tribes	5/26/99, 6/15/99, 11/16/1999, 12/15/99, 2/24/00, 2/25/00, 8/4/00
Fort Mojave Indian Tribe	5/26/99, 6/15/99, 11/16/19, 12/15/99, 2/24/00, 2/25/00, 8/2/00
Jicarilla Apache Tribe	5/26/99, 11/16/19, 12/15/99, 2/24/00, 2/25/00
Navajo Nation	5/26/99, 11/16/19, 12/15/99, 2/24/00, 2/25/00, 9/27/00, 8/3/00
Northern Ute Tribe	5/26/99, 11/16/19, 12/15/99, 2/24/00, 2/25/00, 8/17/00
Quechan Indian Tribe	5/26/99, 6/15/99, 11/16/19, 12/15/99, 2/24/00, 2/25/00, 8/2/00
Southern Ute Indian Tribe	5/26/99, 11/16/19, 12/15/99, 2/24/00, 2/2500
Ute Mountain Ute Tribe	5/26/99, 11/16/19, 12/15/99, 2/24/00, 2/25/00, 8/3/00

Agency or Organization Invited to or Requesting Meetings	Meetings
Tribal Coordination – Tribes And Communities In Central Arizona	
Ak-Chin Indian Community	5/26/99, 6/15/99, 1/21/00, 8/3/00
Mojave-Apache Tribe	5/26/99, 1/21/00, 8/3/00
Gila River Indian Community	5/26/99, 6/15/99, 1/21/00, 8/3/00
Pasqua-Yaqui Tribe	5/26/99, 1/21/00
Salt River Pima-Maricopa Indian Community	5/26/99, 6/15/99, 1/21/00
San Carlos Indian Tribe	5/26/99, 6/15/99, 1/21/00, 8/3/00
Tohono O'Odham Tribe	5/26/99, 6/15/99, 1/21/00, 8/15/00, 8/3/00
Tonto Apache Tribe	5/26/99, 6/15/99, 1/21/00, 8/4/00
Yavapai-Apache Indian Community	5/26/99, 6/15/99, 1/21/00, 8/3/00
Yavapai-Prescott Indian Tribe	5/26/99, 6/15/99, 1/21/00
Tribal Coordination – Coachella Valley Consortium Of Mission Indians	
Agua Caliente Band of Cahuilla Indians	8/30/00, 9/6/00
Augustine Band of Mission Indians	[Contact attempted; DEIS sent]
Cabazon Band of Mission Indians	[Contact attempted; DEIS sent]
Morongo Band of Mission Indians	8/30/00
Torres-Martinez Desert Cahuilla Tribe	1/21/00, 8/30/00
Twenty-Nine Palms Band of Mission Indians	[Contact attempted; DEIS sent]
Tribal Coordination – Other Tribes	
Havasupai Indian Tribe	6/15/99, 5/26/99, 1/21/00
Hopi Tribe	6/15/99, 5/26/99, 1/21/00, 8/4/00
Hualapai Nation	6/15/99, 5/26/99, 1/21/00, 8/3/00
Kaibab Paiute Tribe	8/3/00
San Juan Southern Paiute Tribe	8/3/00
San Luis Rey Indian Water Authority	8/16/00
Zuni Indian Tribe	8/3/00

Agency or Organization Invited to or Requesting Meetings	Meetings
State And Local Water And Power Agencies	
Arizona Department of Water Resources	6/15/99, 12/16/99
Central Arizona Water Conservation District	6/15/99, 8/15/00
Coachella Valley Water District	6/15/99, 6/6/00, 8/15/00
Colorado River Board of California	6/15/99, 12/16/99, 6/6/00, 8/15/00, 11/14/00
Colorado River Commission of Nevada	6/15/99, 12/16/99
Colorado River Water Conservation District	8/15/00
Colorado Water Conservation Board	12/16/99, 8/15/00
Utah Division of Water Resources	12/16/99
Imperial Irrigation District	6/15/99, 6/6/00, 8/15/00, 11/14/00
Las Vegas Valley Water District	6/22/99
Metropolitan Water District, California	6/15/99, 6/6/00, 8/15/00
New Mexico Interstate Stream Commission	12/16/99, 8/15/00
Office of the State Engineer, Wyoming	12/16/99, 8/15/00
Parker Valley Natural Resources Conservation District	12/16/99
Upper Colorado River Commission	6/15/99, 8/15/00
San Diego County Water Authority	8/15/00
Southern Nevada Water Authority	12/16/99, 8/15/00
Non-Governmental Agencies	
Center for Biodiversity	12/15/99, 6/8/00
Defenders of Wildlife	12/15/99, 8/15/00
Environmental Defense	12/15/99, 8/15/00
Glen Canyon Action Network	8/22/00
Pacific Institute	12/15/99, 8/15/00
Southwest Rivers	12/15/99, 8/15/00

Agency or Organization Invited to or Requesting Meetings	Meetings
Agencies of Mexico	
International Boundary and Water Commission, Mexico Section	4/12/00, 5/11/00, 5/12/00, 9/30/00, 11/9/00, 11/14/00
National Water Commission	4/12/00, 5/11/00, 5/12/00, 9/30/00, 11/9/00, 11/14/00
National Institute of Ecology	4/12/00, 9/30/00, 11/9/00, 11/14/00
Secretariat of Environment, Natural Resources and Fish	9/30/00, 11/14/00

5.9 FEDERAL REGISTER NOTICES

This section contains a compilation of the *Federal Register* notices issued to inform the public about the formulation of interim surplus criteria alternatives and the preparation and availability of the DEIS. Table 5.2 lists the *Federal Register* notices, which are presented following the table. In addition to the notices issued, additional notices are planned following the publication of this FEIS to announce its availability and the Secretary's ROD based on this FEIS.

Table 5-2
***Federal Register* Notices Regarding Interim Surplus Criteria**

Notice	Title
Volume 64, No. 95, Page 27008, May 18, 1999	Intent to Solicit Comments on the Development of Surplus Criteria for Management of the Colorado River and to Initiate NEPA Process.
Volume 64, No. 103, Page 29068, May 28, 1999	Public Meetings on the Development of Surplus Criteria for Management of the Colorado River and to Initiate NEPA Process
Volume 64, No. 234, Page 68373, December 7, 1999	Colorado River Interim Surplus Criteria; Notice of Intent to Prepare an Environmental Impact Statement
Volume 65, No. 131, Page 42028, July 7, 2000	Notice of Availability of a draft environmental impact statement and public hearings for the proposed adoption of Colorado River Interim Surplus Criteria
Volume 65, No. 149, Page 47516, August 2, 2000	Notice of revised dates for public hearings on the proposed adoption of Colorado River Interim Surplus Criteria
Volume 65, No. 153, Page 48531, August 8, 2000	Notice of public availability of information submitted on a draft environmental impact statement for the proposed adoption of Colorado River Interim Surplus Criteria (Colorado River Basin States: Interim Surplus Guidelines – Working Draft)
Volume 65, No. 185, Page 57371, September 22, 2000	Notice of Correction to published <i>Federal Register</i> Notice of Availability (Colorado River Basin States: Interim Surplus Guidelines – Working Draft)

MASSACHUSETTS**Middlesex County**

Hosmer Homestead, 138 Baker Ave.,
Concord, 99000659

Worcester County

Gardner Uptown Historic District, Roughly
along Central, Cross, Elm, Green, Glazier,
Pearl and Woodland Sts., Gardner,
99000660

MISSOURI**Franklin County**

New Haven Residential Historic District,
Roughly along Wall St. and Maupin Ave.,
and bounded by Washington and Bates
Sts., New Haven, 99000661

Lewis County

Gray, William, House (La Grange, Missouri
MPS), 407 Washington, La Grange,
99000666

Hay, Dr. J.A., House (La Grange, Missouri
MPS), 406 W. Monroe St., La Grange,
99000664

McKoon, John, House (La Grange, Missouri
MPS), 500 W. Monroe St., La Grange,
99000665

Rhoda, Fred, House (La Grange, Missouri
MPS), 200 S. Second St., La Grange,
99000662

Waltman, A.C., House (La Grange, Missouri
MPS), 302 Lewis St., La Grange, 99000663

NEW HAMPSHIRE**Hillsborough County**

Francestown Meetinghouse, Rte 136,
Francestown, 99000667

Rockingham County

Little Boar's Head Historic District, Parts of
Atlantic Ave., Chapel Rd., Ocean Blvd.,
Sea Rd., and Willow Ave., North Hampton,
99000668

NEW YORK**Tompkins County**

First Presbyterian Church of Ulysses, Main
St., Trumansburg, 99000669

NORTH CAROLINA**Mecklenburg County**

McNinch, Frank Ramsay, House, 2727
Sharon Ln., Charlotte, 99000670

OKLAHOMA**Craig County**

First Methodist-Episcopal Church, South,
314 W. Candian Ave., Vinita, 99000673

Lincoln County

National Guard Statistical Building, Park Rd.,
1 blk W of 6th St., Chandler, 99000672

Oklahoma County

Smith and Kernke Funeral Directors, 1401
NW 23rd St., Oklahoma City, 99000671

PENNSYLVANIA**Delaware County**

Pennsylvania Railroad Station at Wayne, Jct.
of N. Wayne Ave. and Station Rd., Wayne,
99000674

RHODE ISLAND**Newport County**

Horsehead—Marbella, 240 Highland Dr.,
Jamestown, 99000675

SOUTH DAKOTA**Custer County**

Archeological site no. 39CU1619, Address
Restricted, Custer vicinity, 99000679

Gregory County

Mitchell West Central Residential Historic
District, Roughly bounded by First and
Seventh Aves., Mitchell, 99000676
Tackett Underwood Building, Address
Restricted, Gregory vicinity, 99000678

Jerauld County

Wessington Springs Carnegie Library
(Historic Bridges in South Dakota MPS) 124
N. Main Ave., Wessington Springs,
99000677

Minnehaha County

Palisades Bridge
(Historic Bridges in South Dakota MPS),
25495 485th Ave., Garretson, 99000687

Walworth County

Walworth County Courthouse
(County Courthouses of South Dakota MPS),
4304 4th Ave., Selby, 99000680

VIRGINIA**Franklin County**

Rocky Mount Historic District, Roughly
bounded by Franklin, and Maynor Sts.;
Floyd Ave.; E. Court St; and Maple Ave.,
Rocky Mount, 99000683

York County

Old Custom House, Jct. of Main and Read
Sts., Yorktown, 99000682

WISCONSIN**Forest County**

Otter Spring House, Approx. 80 meters S of
Spring Pond Rd., Lincoln vicinity,
99000684

A Request for a Move has been made for
the following resource:

WISCONSIN**Dane County**

Crosse, Dr. Charles G., House 133 W. Main
St., Sun Prairie, 93000029

A Request for a Removal has been made for
the following resource:

INDIANA**Vermillion County**

Brouillets Creek Covered Bridge, Co. Rds
100 W and 1700S over Brouillets Cr.,
Clinton 94000586

A Correction is hereby made for the
following resource:

For Technical reasons this nomination
should not have been published and is no
longer considered a pending National
Register of Historic Places Nomination.

NORTH CAROLINA**Carteret County**

Cape Lookout Village Historic District, Cape
Lookout, from Lighthouse to Cape Point,
Harkers Island, 99000599

[FR Doc. 99-12403 Filed 5-17-99; 8:45 am]

BILLING CODE 4310-70-U

DEPARTMENT OF THE INTERIOR**Bureau of Reclamation**

**Intent to Solicit Comments on the
Development of Surplus Criteria for
Management of the Colorado River and
to Initiate National Environmental
Policy Act (NEPA) Process**

AGENCY: Bureau of Reclamation,
Interior.

ACTION: Notice to solicit comments and
initiation of NEPA process.

SUMMARY: The Department of the
Interior, Bureau of Reclamation
("Reclamation"), is considering
development of specific criteria that
will identify those circumstances under
which the Secretary of the Interior
("Secretary") may make Colorado River
water available for delivery to the States
of Arizona, California, and Nevada
(Lower Division States or Lower Basin)
in excess of the 7,500,000 acre-foot
Lower Basin apportionment.

DATES: We must receive all comments at
the address below on or before June 30,
1999. In addition to accepting written
comments, we will hold public scoping
meetings prior to the closing of the
comment period. We will hold the
public scoping meetings to allow the
public to comment on the need for, and
content of, specific surplus criteria as
part of the National Environmental
Policy Act (NEPA) process initiated by
this notice. We will notify you of the
dates, times, and places for these
meetings through the **Federal Register**,
media outlets, and to all respondents to
this notice.

ADDRESSES: You may submit comments
to the Regional Director, Lower
Colorado Region, Attention: Jayne
Harkins, Bureau of Reclamation, P.O.
Box 61470, Boulder City, Nevada
89006-1470.

SUPPLEMENTARY INFORMATION: The
Secretary, pursuant to the Boulder
Canyon Project Act of December 28,
1928, and the Supreme Court opinion
rendered June 3, 1963, and decree
entered March 9, 1964 (Decree), in the
case of *Arizona v. California, et al.*, is
vested with the responsibility to manage
the mainstream waters of the Colorado
River in the Lower Basin. As the agency

that has been designated to act in the Secretary's behalf with respect to these matters, Reclamation intends to scope and, if appropriate, to develop and implement specific criteria under which "surplus" determinations will be made for the Lower Basin States.

Currently, each year, the Secretary establishes an Annual Operating Plan (AOP) for the Colorado River Reservoirs. The AOP describes how Reclamation will manage the reservoirs over a twelve month period, consistent with the "Criteria for Coordinated Long-Range Operation of the Colorado River Reservoirs Pursuant to the Colorado River Basin Project Act of September 30, 1968" (Long-Range Operating Criteria) and the Decree. Reclamation consults annually with the Colorado River Basin States, Indian Tribes, and other interested parties in the development of the AOP. Further, as part of the AOP process, the Secretary makes annual determinations under the Long-Range Operating Criteria, regarding the availability of Colorado River water for deliveries to the Lower Division States. To meet the consultation requirements of federal law, Reclamation also consults with the Colorado River Basin States, Indian Tribes, and other interested parties during the five-year periodic reviews of the Long-Range Operating Criteria.

In recent years, demand for Colorado River water in Arizona, California, and Nevada has exceeded the Lower Basin's 7,500,000 acre-foot basic apportionment. As a result, criteria for determining the availability of surplus has become a matter of increased importance. Under these circumstances, the Secretary believes that it may be prudent to develop specific criteria that will guide the Secretary's annual decision regarding the quantity of Colorado River water available for delivery to the Lower Basin States. Such surplus criteria would provide more predictability to States and water users. Reclamation anticipates however, that surplus criteria will be subject to change based upon new circumstances, and that such criteria may be interim in nature.

Reclamation may implement the surplus criteria by revising the Long-Range Operating Criteria set forth in Article III(3) or by developing interim implementing criteria pursuant to Article III(3) of the Long-Range Operating Criteria. Proceeding under Article III(3) may be particularly appropriate because Section 602 of the Colorado River Basin Project Act, as amended, requires that any modification to the Long-Range Operating Criteria be made "only after correspondence with the Governors of the seven Colorado

River Basin States and appropriate consultation with such state representatives as each Governor may designate." This statutory reference to the special role of the Basin States in matters relating to the Long-Range Operating Criteria underscores the importance of working closely with the states in developing surplus criteria. Reclamation intends to appropriately coordinate the development of surplus criteria with the Basin States, in accordance with this mandate. In that regard, Reclamation recognizes that efforts are currently underway to reduce California's reliance on surplus deliveries.

Reclamation will take account of progress in that effort, or lack thereof, in the decision-making process regarding specific surplus criteria. Reclamation also intends to make full use of technical information and approaches that have been developed through ongoing discussions with the Basin States. This information can be obtained through the Reclamation contact listed above.

As part of the process initiated by this notice, Reclamation will analyze the effects of specific surplus criteria on potential future shortage determinations on the Colorado River. The criteria would be consistent with relevant Federal law, and would recognize relevant provisions of the Law of the River, which has evolved out of a combination of Federal and State statutes, interstate compacts, court decisions and decrees, an international treaty, contracts with the Secretary, operating criteria, regulations, and administrative decisions.

Reclamation will utilize a public process pursuant to NEPA during the development of the surplus criteria. By this notice, Reclamation invites all interested parties, including the Colorado River Basin States, Indian Tribes, water users, members of the general public, organizations, and agencies to present written comments concerning the format for the criteria, the scope of specific surplus criteria, and the issues and alternatives that they suggest should be analyzed. As noted above, Reclamation will integrate the consultation requirements of Section 602 of the Colorado River Basin Project Act, as amended, into the NEPA process initiated by this notice. As part of this review, Reclamation will consult with state representatives of each of the Governors of the seven Colorado River Basin States, Indian Tribes, members of the general public, representatives of academic and scientific communities, environmental organizations, the recreation industry and contractors for

the purchase of Federal power produced at Glen Canyon Dam.

Dated: May 13, 1999.

David J. Hayes,

Acting Deputy Secretary.

[FR Doc. 99-12491 Filed 5-17-99; 8:45 am]

BILLING CODE 4310-94-P

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Overseas Private Investment Corporation

Submission for OMB Review; Comment Request

AGENCY: Overseas Private Investment Corporation, IDCA.

ACTION: Request for comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), Agencies are required to publish a Notice in the **Federal Register** notifying the public that the Agency has prepared an information collection request for OMB review and approval and has requested public review and comment on the submission. OPIC published its first Federal Register Notice on this information collection request on March 5, 1999, in 64 FR #43, p. 10721, at which time a 60-calendar day comment period was announced. This comment period ended May 5, 1999. No comments were received in response to this Notice.

This information collection submission has now been submitted to OMB for review. Comments are again being solicited on the need for the information, its practical utility, the accuracy of the Agency's burden estimate, and on ways to minimize the reporting burden, including automated collection techniques and uses of other forms of technology. The proposed form under review is summarized below.

DATES: Comments must be received on or before June 17, 1999.

ADDRESSES: Copies of the subject form and the request for review submitted to OMB may be obtained from the Agency Submitting Officer. Comments on the form should be submitted to the OMB Reviewer.

FOR FURTHER INFORMATION CONTACT:

OPIC Agency Submitting Officer: Carol Brock, Records Manager, Overseas Private Investment Corporation, 1100 New York Avenue, N.W., Washington, D.C. 20527; 202 336-8563.

OMB Reviewer: Jeff Hill, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Docket

Minnesota professional staff in consultation with representatives of the Bois Forte Band of the Minnesota Indian Tribe.

In 1984, human remains representing one individual from a site located on private land within the exterior boundaries of the Bois Forte Reservation near Lake Vermillion by Bois Forte Tribal Police. These human remains were turned over to the Minnesota State Archeologist and the Minnesota Indian Affairs Council. No known individual was identified. The 16 associated funerary objects include three beaver mandibles, one lynx mandible, one elk naviculocuboid, one beaver innominate, one fragement of beaver incisor, six bone awls, one harpoon awl, one hide flesher (moose or elk metatarsal), and one iron tranche (ice chisel).

Based on the associated funerary objects, this individual has been determined to be Native American from the historic period. These human remains and funerary objects were recovered within the exterior boundaries of the Bois Forte Reservation.

Based on the above mentioned information, officials of the Minnesota Indian Affairs Council have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of one individuals of Native American ancestry. Officials of the Minnesota Indian Affairs Council have also determined that, pursuant to 43 CFR 10.2 (d)(2), the 16 objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the Minnesota Indian Affairs Council have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and associated funerary objects and the Bois Forte Band of the Minnesota Chippewa Tribe.

This notice has been sent to officials of the Bois Forte Band of the Minnesota Chippewa Tribe and the Minnesota Chippewa Tribe. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact James L. (Jim) Jones, Cultural Resource Specialist, Minnesota Indian Affairs Council, 1819 Bemidji Ave. Bemidji, MN 56601; telephone: (218) 755-3825, before June 28, 1999. Repatriation of the human remains and associated funerary objects to the Bois Forte Band of the Minnesota Chippewa Tribe may begin after that

date if no additional claimants come forward.

Dated: April 22, 1999.

Francis P. McManamon,

*Departmental Consulting Archeologist,
DeManager, Archeology and Ethnography
Program.*

[FR Doc. 99-13600 Filed 5-27-99; 8:45 am]

BILLING CODE 4310-70-F

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Public Meetings on the Development of Surplus Criteria for Management of the Colorado River and To Initiate National Environmental Policy Act (NEPA) Process

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of public meetings.

SUMMARY: The Department of the Interior, Bureau of Reclamation ("Reclamation"), is considering development of specific criteria that will identify those circumstances under which the Secretary of the Interior ("Secretary") may make Colorado River water available for delivery to the States of Arizona, California, and Nevada (Lower Division States or Lower Basin) in excess of the 7,500,000 acre-foot Lower Basin apportionment.

Reclamation published a **Federal Register** notice on Tuesday, May 18, 1999, regarding a Notice of Intent to solicit comments on the development of surplus criteria.

Reclamation invites all interested parties to present oral or written comments concerning the following: (1) The need for the development of surplus criteria, (2) the format for the criteria (either by revising the Long-Range Operating Criteria set forth in Article III(3) or by developing interim criteria pursuant to Article III(3) of the Long-Range Operating Criteria), and (3) the specific issues and alternatives to be analyzed in the National Environment Policy Act (NEPA) process.

DATES AND LOCATIONS: Written comments are requested by June 30, 1999, and should be sent to Regional Director, Lower Colorado Region, Attention: Jayne Harkins, Bureau of Reclamation, P.O. Box 61470, Boulder City, Nevada 89006-1470. Oral and written comments will be accepted at the public meetings to be held at the following locations:

Tuesday, June 15, Meeting Room 1 on Level 3, Terminal 4, Phoenix Sky Harbor Airport, Phoenix, Arizona, 6:30 p.m.-9 p.m.

Wednesday, June 16, Keller Peak Room, Doubletree Hotel, 222 N. Vineyard Ave., Ontario, California, 6:30 p.m.-9 p.m.

Tuesday, June 22, Zeus C Room, Alexis Park Resort, 375 East Harmon, Las Vegas, Nevada, 6:30 p.m.-9 p.m.

Wednesday, June 23, Hawk's Nest Conference Room, Terminal 1, Salt Lake International Airport, Salt Lake City, Utah, 6:30 p.m.-9 p.m.

FOR FURTHER INFORMATION CONTACT:

Jayne Harkins, telephone (702) 293-8190; faxogram (702) 293-8042; E-mail at: jharkins@lc.usbr.gov or Randall Peterson, telephone (801) 524-3758, faxogram (801) 524-3858; E-mail at: rpeterson@uc.usbr.gov.

Dated: May 25, 1999.

Eluid L. Martinez,
Commissioner.

[FR Doc. 99-13667 Filed 5-27-99; 8:45 am]

BILLING CODE 4310-94-U

DEPARTMENT OF JUSTICE

[AAG/A Order No. 167-99]

Privacy Act of 1974; Notice of the Removal of a System of Records

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Procurement Policy and Review Group, Management and Planning Staff, Justice Management Division (JMD) is removing a published Privacy Act system of records entitled "Delegations of Procurement Authority (DPA), JUSTICE/JMD-018." JUSTICE/JMD-018 was last published in the **Federal Register** on October 10, 1995, (60 FR 52704).

The DPA is no longer being used or maintained. The system was originally used, as part of a pre-award review of contract actions above a certain threshold, to ensure contracting officers in the Department's bureaus were exercising their procurement authority in accordance with the terms of their delegations. The system was also used to track training and career progression of bureau contracting officers. On May 31, 1995, the Procurement Executive discontinued the practice of performing pre-award reviews of all contract actions, including checks of contracting officers' delegations. In addition, consistent with the Justice Acquisition Regulations (63 FR 16118-16136), which delegate the responsibility of developing and managing career development programs to the bureaus, the DPA is no longer used for career development purposes.

Adobe Road, Twentynine Palms,
California 92277
Thursday, December 16, 1999 at 7 pm
Needles City Hall, 1111 Bailey
Avenue, Needles, California 92363

DATES: Comments must be received in writing to the Metropolitan Water District no later than February 22, 2000.

ADDRESSES: Written comments on the Draft EIR/EIS should be mailed to: Metropolitan Water District of Southern California, Post Office Box 54153, Los Angeles, California 90054-0153, Attention: Mr. Dirk Reed.

FOR FURTHER INFORMATION CONTACT: Further information regarding the project may be obtained from Mr. Reed at (213) 217-6163 or Mr. Jack Safely at (213) 217-6981.

Dated: December 1, 1999.

Douglas Romoli,
Acting District Manager.

[FR Doc. 99-31604 Filed 12-6-99; 8:45 am]

BILLING CODE 4310-40-P

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate a Cultural Item in the Possession of the Fort Concho National Historic Landmark, San Angelo, TX

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is hereby given under the Native American Graves Protection and Repatriation Act, 43 CFR 10.10 (a)(3), of the intent to repatriate a cultural item in the possession of the Fort Concho National Historic Landmark, San Angelo, TX which meets the definition of "unassociated funerary object" under Section 2 of the Act.

The cultural item is a large Jordano brown ceramic pot with a kill hole at the bottom.

In 1952, this item was donated to the Fort Concho National Historic Landmark by Hollen Mayes. Museum documentation indicates it was removed from a burial in the Diablo Mountains near Van Horn, Culberson County, TX. While the external finish and interior have been greatly altered due to conservation attempts, the form and style of this item is consistent with known Tigua ceramics. Oral history presented by representatives of the Ysleta del Sur Pueblo of Texas indicates this cultural item was originally in the possession of a Tigua (Ysleta del Sur Pueblo) tribal member who was killed near Van Horn, TX.

Officials of the Fort Concho National Historic Landmark have determined

that, pursuant to 43 CFR 10.2 (d)(2)(ii), this cultural item is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and is believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual. Officials of the Fort Concho National Historic Landmark have also determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between this item and Ysleta del Sur Pueblo of Texas.

This notice has been sent to officials of Ysleta del Sur Pueblo of Texas. Representatives of any other Indian tribe that believes itself to be culturally affiliated with this object should contact Kathleen S. Roland, Curator of Collections, Fort Concho National Historic Landmark, 630 S. Oakes St., San Angelo, TX 76903; telephone: (915) 657-4440 before January 6, 2000. Repatriation of this object to Ysleta del Sur Pueblo may begin after that date if no additional claimants come forward. Dated: November 30, 1999.

Francis P. McManamon,
*Departmental Consulting Archeologist,
Manager, Archeology and Ethnography
Program.*

[FR Doc. 99-31568 Filed 12-6-99; 8:45 am]

BILLING CODE 4310-70-F

DEPARTMENT OF INTERIOR

Bureau of Reclamation

Colorado River Interim Surplus Criteria; Notice of Intent To Prepare an Environmental Impact Statement

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality's regulations for implementing the procedural provisions of NEPA, the Department of the Interior, Bureau of Reclamation ("Reclamation"), proposes to prepare an Environmental Impact Statement ("EIS") for development of interim implementing criteria pursuant to Article III (3) of the Long-Range Operating Criteria that will be used by the Secretary of the Interior ("Secretary") to determine surplus conditions for management of the Colorado River.

Reclamation previously published **Federal Register** notices on Tuesday,

May 18, 1999 (64 FR 27008) and Friday May 28, 1999 (64 FR 29068) announcing its intention to consider the development of specific criteria that will identify those circumstances under which the Secretary may make Colorado River water available for delivery to the States of Arizona, California, and Nevada (Lower Division States or Lower Basin) in excess of the 7,500,000 acre-foot Lower Basin apportionment. Those notices announced four public scoping meetings and requested oral and written comments on the need for such criteria, the format for the criteria, the scope of specific surplus criteria, and the issues and alternatives that should be analyzed.

The public comment period ran from May 18, 1999 until June 30, 1999. In addition to oral comments submitted at four public scoping meetings, we received 32 letters during the comment period. The respondents included one irrigation district, three water districts, two individuals, three environmental organizations, nine state agencies, two federal organizations, three tribes, two cities, three water users associations, one corporation, one water resource organization, one conservation district and one public utility.

Based on the public comments received, Reclamation has made the decision to prepare an EIS that evaluates the potential impacts of alternative implementing interim criteria that will be used by the Secretary to determine surplus conditions for management of the Colorado River.

Supplementary information is provided in the aforementioned May 18, 1999 **Federal Register** notice.

FOR FURTHER INFORMATION CONTACT: Jayne Harkins, telephone (702) 293-8190; faxogram (702) 293-8042; E-mail at: jharkins@lc.usbr.gov or Tom Ryan, telephone (801) 524-3732, faxogram (801) 524-3858; E-mail at: tryan@uc.usbr.gov.

Dated: December 1, 1999.

David J. Hayes,
Acting Deputy Secretary of the Interior.
[FR Doc. 99-31681 Filed 12-6-99; 8:45 am]
BILLING CODE 4310-94-P

INTERNATIONAL TRADE COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: December 10, 1999 at 11:00 a.m.

DEPARTMENT OF THE INTERIOR**National Park Service****National Register of Historic Places;
Notification of Pending Nominations**

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before July 1, 2000. Pursuant to section 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, 1849 C St. NW, NC400, Washington, DC 20240. Written comments should be submitted by July 24, 2000.

Beth M. Boland,

Acting Keeper of the National Register.

CONNECTICUT**Hartford County**

Coult, Abraham, House, 1695 Hebron Ave., Glastonbury, 00000834

Hartford Electric Light Company Maple Avenue Sub-Station, 686 Maple Ave., Hartford, 00000833

New Haven County

West Haven Green Historic District, Roughly along Main St., Campbell St., Church St. and Savin St., West Haven, 00000832

NEBRASKA**Lancaster County**

Herter Farmstead, 4949 S 148th, Walton, 00000835

NEW YORK**Rensselaer County**

St. Mark's Episcopal Church, Main St., Hoosick Falls, 00000836

Sullivan County

Hankins Stone Arch Bridge, (Upper Delaware Valley, New York and Pennsylvania, MPS) Sullivan Cty. Rd. 94, E., Hankins, 00000838

Manny, Anthony, House, (Upper Delaware Valley, New York and Pennsylvania, MPS) 6 Hankins Rd., Hankins, 00000840

Tusten Stone Arch Bridge, (Upper Delaware Valley, New York and Pennsylvania, MPS) Tusten Rd. at Ten Mile River, Tusten, 00000839

Westchester County

Scarsdale Railroad Station, Popham Rd. at Bronx River Pkwy., Scarsdale, 00000837

NORTH CAROLINA**Chatham County**

Siler City Commercial Historic District, Roughly bounded by Second Ave., Birch Ave., Third St. and Beaver St., Siler City, 00000841

Polk County

Railway Clerks' Mountain House, US 176, 0.6 mi. Se of jct. with Ozone Rd., Saluda, 00000842

PENNSYLVANIA**Berks County**

Red Men Hall, 831–833 Walnut St., Reading, 00000843

Chester County

Zook House, (West Whiteland Township MRA) 100 Exton Sq., Exton, W. Whiteland, 00000844

Dauphin County

Star Barn Complex, Nissley Dr. at PA 283, Lower Swatara, 00000845

Lancaster County

New Holland Machine Company, 146 E. Franklin St., New Holland, 00000846

Philadelphia County

Bell Telephone Company Building, 1827–35 Arch St., Philadelphia, 00000849

York County

Bixler, Michael and Magdealena Farmstead, 400 Mundis Race Rd., East Manchester, 00000850

Red Lion Borough Historic District, Roughly bounded by Edgewood Ave., Windsor Twp. line, MD&PA RR., Chestnut Rd., Country Club Rd., and York Twp. line., Red Line, 00000847

Sinking Springs Farms, Roughly bounded by Church Rd., Sinking Springs Ln., N. George St., Locust Ln., Susquehanna Trail and PA 238, Manchester, 00000848

WISCONSIN**Ozaukee County**

Bigelow School, 4228 W. Bonniwell Rd., Mequon, 00000851

WYOMING**Crook County**

Entrance Road—Devils Tower National Monument, (Devils Tower National Monument MPS) Devils Tower National Monument, Devils Tower, 00000854

Entrance Station—Devils Tower National Monument, (Devils Tower National Monument MPS) Devils Tower National Monument, Devils Tower, 00000853

Old Headquarters Area Historic District, (Devils Tower National Monument MPS) Devils Tower National Monument, Devils Tower, 00000852

Tower Ladder—Devils Tower National Monument, (Devils Tower National Monument MPS) Devils Tower National Monument, Devils Tower, 00000855

[FR Doc. 00–17267 Filed 7–6–00; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR**Bureau of Reclamation****Colorado River Interim Surplus Criteria**

AGENCY: Bureau of Reclamation, Department of the Interior.

ACTION: Notice of availability of a draft environmental impact statement and public hearings for the proposed adoption of Colorado River Interim Surplus Criteria: INT–DES 00–25.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA, the Bureau of Reclamation (Reclamation), has issued a Draft Environmental Impact Statement (DEIS) on the proposed adoption of specific criteria under which surplus water conditions may be determined in the Lower Colorado River Basin during the next 15 years. Cooperating agencies are the National Park Service and the International Boundary and Water Commission, United States Section. Information on public hearings may be found below in the **DATES** section.

ADDRESSES: Send comments on the DEIS to Ms. Jayne Harkins, Attention BCOO–4600, PO Box 61470, Boulder City, Nevada, 89006–1470, or fax comments to Ms. Harkins at (702) 293–8042. Comments must be received no later than September 8, 2000.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

DATES: Comments on this DEIS must be received no later than September 8, 2000.

Public hearings will be held to receive written or verbal comments on the DEIS from interested organizations and individuals on the environmental impacts of the proposal. The hearings

will be held at the following times and locations:

- August 3, Meeting Room 1 on Level 3, Terminal 4, Phoenix Sky Harbor International Airport, Phoenix, Arizona, 7 p.m.
- August 8, Big Bear Room, Doubletree Hotel, 222 N. Vineyard Ave., Ontario, CA, 7 p.m.
- August 10, Jazz Room, Salt Lake City International Airport, 765 Terminal Drive, Salt Lake City, Utah, 7 p.m.
- August 15, Comfort Dental Conference Room, Las Vegas Chamber of Commerce, 3720 Howard Hughes Parkway, Las Vegas, NV, 7 p.m.

In addition to the public hearings, a separate hydrologic modeling meeting will be held on the same day as the public hearing in Las Vegas, NV. Reclamation will provide detailed assumptions and respond to questions regarding the model runs, use schedules, and post-processing analysis that was completed for this DEIS. The time and location for this technical meeting is as follows:

- August 15, Comfort Dental Conference Room, Las Vegas Chamber of Commerce, 3720 Howard Hughes Parkway, Las Vegas, NV, 9 a.m. to 5 p.m.

The hearings and the hydrologic modeling meeting will accommodate those with hearing impairments or other special requirements upon request by calling Janet Steele at (702) 293-8551 at least 48 hours prior to the hearing.

The DEIS is available for viewing on the Internet at <http://www.lc.usbr.gov> and <http://www.uc.usbr.gov>. Copies of the DEIS, in the form of a printed document or on compact disk, are available upon written request to the following address: Ms. Janet Steele, Attention BCOO-4601, PO Box 61470, Boulder City, Nevada 89006-1470, Telephone: (702) 293-8785, or by fax at (702) 293-8042.

See **SUPPLEMENTARY INFORMATION** section for a list of libraries where the DEIS is available for public inspection and review.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Ms. Jayne Harkins at the above address or telephone Ms. Harkins at (702) 293-8785.

SUPPLEMENTARY INFORMATION: The Secretary of the Interior (Secretary) currently manages the lower Colorado River system in accordance with federal law (including the provisions of the 1964 U.S. Supreme Court decree, as supplemented, in *Arizona v. California* (the Decree)), the Colorado River Basin Project Act of 1968 (CRBPA) and Long

Range Operating Criteria (LROC) pursuant to the CRBPA. Within this legal framework, the Secretary makes annual determinations regarding the availability of surplus water from Lake Mead by considering various factors, including the amount of water in storage and predictions for natural runoff. The Decree provides that if there exists sufficient water available in a single year for release from Lake Mead to satisfy annual consumptive use in the states of Arizona, California, and Nevada in excess of 7.5 million-acre feet, such water may be determined by the Secretary to be made available as surplus water.

The purpose of and need for establishing interim surplus criteria is to assist the Secretary in making annual determinations of surplus conditions, and will afford entities that have contracted for surplus water a greater degree of predictability with respect to the annual existence of surplus water available for diversion. This greater predictability would assist these entities in the management of their water resources.

The DEIS presents four possible alternatives for implementation, plus a "No Action Alternative." The DEIS does not include a preferred alternative. The interim surplus criteria alternatives have been formulated to be consistent with applicable federal law and the LROC, described above.

The four potential action alternatives are: a "Flood Control Alternative," which would provide surplus water only when flood control releases from Lake Mead are needed, based on the current criteria for making such releases; the "Six States Alternative" and "California Alternative," both of which specify various Lake Mead water surface elevations to be used as "triggers" to indicate when surplus conditions exist; and the "Shortage Protection Alternative," which would permit surplus conditions to be determined above a specific elevation positioned to ensure enough water remains in Lake Mead to provide a one-year water supply to Arizona, California, Nevada, and Mexico, and to protect against dropping the lake's water level below a specified elevation.

Libraries Where the Draft EIS is Available for Public Inspection and Review:

- Department of the Interior, Natural Resources Library, 1849 C Street, NW, Washington, DC 20240.
- Lower Colorado Regional Office, PO Box 61470, Boulder City, Nevada 89006-1470.
- Phoenix Area Office, Concorde Commerce Center, 2222 West Dunlap

Ave., Suite 100, Phoenix, Arizona 85069-1169.

- Yuma Area Office, 7301 Calle Aqua Salada, Yuma, Arizona, 85366-7504.
- Upper Colorado Regional Office, 125 South State St., Room 6107, Salt Lake City, Utah 84138-1102.
- Boulder City Library, 813 Arizona, Boulder City, NV 89005. Henderson District Public Library, 280 South Water St., Henderson, NV 89015.
- Los Angeles Central Library, 630 W 5th St. Los Angeles, CA 90071.
- San Diego Central Library, 820 E St., San Diego, CA 92101.
- Salt Lake City Public Library, 209 E 500 S., Salt Lake City, UT 84111.
- Albuquerque Public Library, 501 Copper Ave. NW, Albuquerque, NM 87102.
- Denver Public Library, 10 W 14th Ave. Pkwy, Denver, CO 80204.
- Laramie County Library, 2800 Central Ave., Cheyenne, WY 82001.
- Phoenix Public Library (Burton Barr Central), 1221 N. Central Ave., AZ 85004.
- Government Reference Library, City Hall, 9th Floor, Tucson, AZ 85701.
- Mohave County Library, 1170 Hancock Rd., Bullhead City, AZ 86442.
- San Bernardino County Library, 1111 Bailey Ave., Needles, CA 92363.
- Lake Havasu City Library, 1787 McCulloch Blvd. North, Lake Havasu City, AZ, 86403.
- Parker Public Library, 1001 South Navajo Ave., Parker, AZ 85344.
- Palo Verde Valley Library, 125 W. Chanslor Way, Blythe, CA 92225.
- Yuma County Library, 350 S. 3rd Ave., Yuma, AZ 85364.

Dated: June 30, 2000.

Willie R. Taylor,

Director, Office of Environmental Policy and Compliance, Department of the Interior.

[FR Doc. 00-17194 Filed 7-6-00; 8:45 am]

BILLING CODE 4310-MN-P

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-872-883 (Preliminary)]

Certain Steel Concrete Reinforcing Bars From Austria, Belarus, China, Indonesia, Japan, Korea, Latvia, Moldova, Poland, Russia, Ukraine, and Venezuela

AGENCY: United States International Trade Commission.

ACTION: Institution of antidumping investigations and scheduling of preliminary phase investigations.

of the Gettysburg National Military Park located at 97 Taneytown Road, Gettysburg, Pennsylvania 17325.

Dated: July 20, 2000.

John A. Latschar,

Superintendent, Gettysburg NMP/Eisenhower NHS.

[FR Doc. 00-19473 Filed 8-1-00; 8:45 am]

BILLING CODE 4310-70-M

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Availability of the Draft Revision of the Vacation Cabin Site Policy at Lake Mead National Recreation Area

AGENCY: National Park Service, Interior.

ACTION: Notice of availability.

SUMMARY: The National Park Service announces the availability for public review of the draft revision of the Vacation Cabin Site policy at Lake Mead National Recreation Area.

COMMENTS: Written comments must be postmarked or transmitted by September 1, 2000.

If individuals submitting comments request that their name and/or address be withheld from public disclosure, it will be honored to the extent allowable by law. Such requests must be stated prominently in the beginning of the comments. There also may be circumstances wherein the NPS will withhold a respondent's identity as allowable by law. As always: NPS will make available to public inspection all submissions from organizations or businesses and from persons identifying themselves as representatives or officials of organizations and businesses; and, anonymous comments may not be considered.

ADDRESSES: The draft revision of the Vacation Cabin Site policy is available on the Internet at <http://www.nps.gov/lame/concessions/vcs.html>. Requests for copies and written comments should be sent to Superintendent, Lake Mead National Recreation Area, 601 Nevada Highway, Boulder City, Nevada 89005

FOR FURTHER INFORMATION CONTACT: Concessions Program Management at 702/293-8923.

SUPPLEMENTARY INFORMATION: The last revision of the Lake Mead National Recreation Area Vacation Cabin Site policy occurred in 1992. Cabin site lease extensions expired in 1999 and 2000 and are being reauthorized for a one-year extension upon expiration. When the revised cabin site policy is finalized new permits will be issued for a five

year period, the maximum length of time allowed by law. The finalized policy will become part of the permit.

There are three vacation cabin site areas within Lake Mead National Recreation Area. Stewart's Point (54 sites), located along Lake Mead in Nevada, approximately two miles northeast of Rogers Spring. Temple Bar (32 sites), located along Lake Mead in Arizona, approximately one mile southeast of Temple Bar Resort. Katherine (35 sites), located along Lake Mohave in Arizona, approximately two miles north of Katherine Landing.

Dated: July 14, 2000.

Alan O'Neill,

Superintendent, Lake Mead National Recreation Area.

[FR Doc. 00-19474 Filed 8-1-00; 8:45 am]

BILLING CODE 4310-70-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Colorado River Interim Surplus Criteria

AGENCY: Bureau of Reclamation, Department of the Interior.

ACTION: Notice of revised dates for public hearings on the proposed adoption of Colorado River Interim Surplus Criteria: INT-DES 00-25.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA, the Bureau of Reclamation (Reclamation), has issued a Draft Environmental Impact Statement (DEIS) on the proposed adoption of specific criteria under which surplus water conditions may be determined in the Lower Colorado River Basin during the next 15 years.

This notice updates the **Federal Register** notice published on July 7, 2000 (65 FR 42028) and provides notice of revised dates for public hearings on the proposed adoption of Colorado River Interim Surplus Criteria. Information on revised dates and locations for public hearings may be found below in the **DATES** section.

ADDRESSES: The comment period on the DEIS remains unchanged. Send comments on the DEIS to Ms. Jayne Harkins, Attention BCOO-4600, PO Box 61470, Boulder City, Nevada, 89006-1470, or fax comments to Ms. Harkins at (702) 293-8042. As provided in the **Federal Register** notice published on July 7, 2000 (65 FR 42028), comments on the DEIS must be received no later than September 8, 2000.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

DATES: The public comment period on the DEIS remains unchanged and comments on this DEIS must be received no later than September 8, 2000.

Public hearings will be held to receive written or verbal comments on the DEIS from interested organizations and individuals on the environmental impacts of the proposal. The public hearings identified in the **Federal Register** notice published on July 7, 2000 (65 FR 42028) will not be held. Instead, a revised schedule for the hearings follows. The hearings will be held at the following times and locations:

- August 21, Big Bear Room, Doubletree Hotel, 222 N. Vineyard Ave., Ontario, CA, 7 p.m.
- August 22, Comfort Dental Conference Room, Las Vegas Chamber of Commerce, 3720 Howard Hughes Parkway, Las Vegas, NV, 7 p.m.
- August 23, Jazz Room, Salt Lake City International Airport, 765 Terminal Drive, Salt Lake City, Utah, 7 p.m.
- August 24, Meeting Room 1 on Level 3, Terminal 4, Phoenix Sky Harbor Airport, Phoenix, Arizona, 7 p.m.

In addition to the public hearings, a separate hydrologic modeling meeting will be held in Las Vegas, NV. Reclamation will provide detailed assumptions and respond to questions regarding the model runs, use schedules, and post-processing analysis that was completed for this DEIS. The time and location for the hydrologic modeling meeting has not changed from the information provided in the **Federal Register** notice published on July 7, 2000 (65 FR 42028). The time and location for this technical meeting is as follows:

- August 15, Comfort Dental Conference Room, Las Vegas Chamber

of Commerce, 3720 Howard Hughes Parkway, Las Vegas, NV, 9 a.m. to 5 p.m.

The hearings and the hydrologic modeling meeting will accommodate those with hearing impairments or other special requirements upon request by calling Janet Steele at (702) 293-8551 at least 48 hours prior to the hearing.

The DEIS remains available for viewing on the Internet at <http://www.lc.usbr.gov> and <http://www.uc.usbr.gov>. Copies of the DEIS, in the form of a printed document or on compact disk, remain available upon written request to the following address: Ms. Janet Steele, Attention BCOO-4601, PO Box 61470, Boulder City, Nevada 89006-1470, Telephone: (702) 293-8785, or by fax at (702) 293-8042.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Ms. Jayne Harkins at the above address or telephone Ms. Harkins at (702) 293-8785.

Dated: July 28, 2000.

Erica Petacchi,

Federal Register Liaison.

[FR Doc. 00-19580 Filed 8-1-00; 8:45 am]

BILLING CODE 4310-MN-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-527 (Review)]

Extruded Rubber Thread From Malaysia

Determination

On the basis of the record¹ developed in the subject five-year review, the United States International Trade Commission determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act), that revocation of the antidumping duty order on extruded rubber thread from Malaysia would likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted this review on August 2, 1999 (64 FR 41954) and determined on November 4, 1999 that it would conduct a full review (64 FR 62689, November 17, 1999). Notice of the scheduling of the Commission's review and of a public hearing to be held in connection therewith was given by posting copies of the notice in the

Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on January 20, 2000 (65 F.R. 3246). The hearing was held in Washington, DC, on June 1, 2000, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in this investigation to the Secretary of Commerce on July 27, 2000. The views of the Commission are contained in USITC Publication 3327 (July 2000), entitled *Extruded Rubber Thread from Malaysia (Inv. No. 731-TA-527 (Review))*.

Issued: July 27, 2000.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 00-19570 Filed 8-1-00; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-639 and 640 (Review)]

Forged Stainless Steel Flanges From India and Taiwan

Determination

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)), that revocation of the antidumping duty orders on forged stainless steel flanges from India and Taiwan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on December 1, 1999 (64 FR 67313, December 1, 1999) and determined on March 3, 2000 that it would conduct expedited reviews (65 FR 15009, March 20, 2000). The Commission transmitted its determinations in these reviews to the Secretary of Commerce on July 26, 2000. The views of the Commission are contained in USITC Publication 3329 (July 2000), entitled *Forged Stainless Steel Flanges from India and Taiwan:*

Investigations Nos. 731-TA-639 and 640 (Review).

Issued: July 27, 2000.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 00-19568 Filed 8-1-00; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-309-A-B and 731-TA-528 (Review)]

Magnesium From Canada

Determinations

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act), that revocation of the countervailing duty orders² and the antidumping duty order on magnesium from Canada would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Background

The Commission instituted these reviews on August 2, 1999, (64 FR 41961) and determined on November 4, 1999, that it would conduct full reviews (64 FR 62690, November 17, 1999). Notice of the scheduling of the Commission's reviews and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** on February 10, 2000 (65 FR 6628). The hearing was held in Washington, DC, on May 31, 2000, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on July 25, 2000. The views of the Commission are contained in USITC Publication 3324 (July 2000), entitled *Magnesium from Canada: Investigations Nos. 701-TA-309-A-B and 731-TA-528 (Review).*

Issued: July 26, 2000.

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 C.F.R. § 207.2(f)).

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

² Commissioner Thelma J. Askey dissenting.

Street, NW., Room 7418, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Dr. Wes Henry at 202/208-5211 or Dr. William Schmidt at 202/501-9269.

Maureen Finnerty,

Associate Director, Park Operations and Education.

[FR Doc. 00-19955 Filed 8-7-00; 8:45 am]

BILLING CODE 4310-70-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Colorado River Interim Surplus Criteria

AGENCY: Bureau of Reclamation, Department of the Interior.

ACTION: Notice of public availability of information submitted on a draft environmental impact statement for the proposed adoption of Colorado River Interim Surplus Criteria: INT-DES 00-25.

SUMMARY: Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA, the Bureau of Reclamation (Reclamation) has issued a Draft Environmental Impact Statement (DEIS) on the proposed adoption of specific criteria under which surplus water conditions may be determined in the Lower Colorado River Basin during the next 15 years. A notice of availability and public comment period was provided in a **Federal Register** notice published on July 7, 2000 (65 FR 42028).

As noted in the **Federal Register** notice published on May 18, 1999 (64 FR 27008), during this NEPA process Reclamation is consulting with state representatives of each of the Governors of the seven Colorado River Basin States, Indian Tribes, members of the general public, representatives of academic and scientific communities, environmental organizations, the recreation industry and contractors for the purchase of Federal power produced at Glen Canyon Dam. Reclamation has received information from the Colorado River Basin States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming during the public comment period on the proposed adoption of Colorado River Interim Surplus Criteria. The information provided to Reclamation is the product of significant effort on the part of the representatives of the Governors of the Colorado River Basin States. As noted in the **Federal Register** notice published

on May 18, 1999 (64 FR 27008), the statutory framework for operation of Colorado River Reservoirs underscores the importance of working with the Colorado River Basin States in developing interim surplus criteria. Reclamation has made a preliminary review of the specific surplus criteria in the information presented by the Basin States and has made a preliminary determination that such criteria are within the range of alternatives and impacts analyzed in the DEIS. The information provided by the States does contain details regarding proposed surplus criteria that may be helpful to others preparing comments in response to the **Federal Register** notice published on July 7, 2000 (65 FR 42028). Accordingly, Reclamation is providing this information for public consideration during the public comment period on this action. That period will not be extended. Reclamation will be analyzing the issues and information presented in this submission, along with all other public comments on the Draft Environmental Impact Statement (DEIS) on the proposed adoption of Colorado River Interim Surplus Criteria. Reclamation, along with the Department of the Interior, will utilize this information, along with all other public comments, as appropriate, during its preparation of a Final Environmental Impact Statement and accompanying Record of Decision. The information provided by the representatives of the Colorado River Basin States may be found below in the **SUPPLEMENTARY INFORMATION** section.

The DEIS, and the information provided in the **SUPPLEMENTARY INFORMATION** section below are available for viewing on the Internet at <http://www.lc.usbr.gov> and <http://www.uc.usbr.gov>.

ADDRESSES: The comment period on the DEIS remains unchanged. Send comments on the DEIS to Ms. Jayne Harkins, Attention BCOO-4600, PO Box 61470, Boulder City, Nevada, 89006-1470, or fax comments to Ms. Harkins at (702) 293-8042. As provided in the **Federal Register** notice published on July 7, 2000 (65 FR 42028), comments on the DEIS must be received no later than September 8, 2000.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public

disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Copies of the DEIS, in the form of a printed document or on compact disk, remain available upon written request to the following address: Ms. Janet Steele, Attention BCOO-4601, PO Box 61470, Boulder City, Nevada 89006-1470, Telephone: (702)

293-8785, or by fax at (702) 293-8042.

DATES: The public comment period on the DEIS remains unchanged and comments on this DEIS must be received no later than September 8, 2000.

FOR FURTHER INFORMATION CONTACT: For additional information, contact Ms. Jayne Harkins at the above address or telephone Ms. Harkins at (702) 293-8785.

SUPPLEMENTARY INFORMATION: The following information was received from the Colorado River Basin States:

Interim Surplus Guidelines—Working Draft

I. Background

A. The Boulder Canyon Project Act of 1928 (28 Stat. 1057) (the "BCPA"), authorized the Secretary of the Interior (the "Secretary") to construct Hoover Dam and the All-American Canal, and to contract for the delivery and use of water from such facilities for irrigation and domestic uses. The effectiveness of the BCPA was contingent upon ratification of the Colorado River Compact of 1922 (the "Compact") by the Colorado River Basin States, or, in the alternative, upon ratification by six of said states, including California. The effectiveness of the BCPA was further contingent upon agreement by the state of California, by act of its legislature, irrevocably and unconditionally with the United States and for the benefit of the other Colorado River Basin States, as an express covenant and in consideration of the passage of the BCPA, to limit the aggregate annual consumptive use (diversions less returns to the river) of water of and from the Colorado River for use in California, to no more than 4.4 million acre-feet ("maf") per year of the waters apportioned to the Lower Basin States by Article III(a) of the Compact, plus not more than one-half of any excess or surplus waters unapportioned by the

Compact, such use to be always subject to the terms of the Compact.

Six states, including California, ratified the Compact by 1929. The California Legislature also passed the California Limitation Act (Act of March 4, 1929; Ch. 16, 48th Sess.). Thus, the conditions of the BCPA were satisfied, the President proclaimed the BCPA

effective on June 25, 1929 and the Secretary thereafter constructed Hoover Dam and the All-American Canal and executed contracts for the delivery and use of water from such facilities. Arizona ratified the Compact in 1944.

Before the Secretary entered into water delivery contracts with California agencies, he requested such agencies to

agree to relative priorities of rights among them. This was accomplished by the California Seven-Party Agreement of August 18, 1931, incorporated into the water delivery contracts (the "California Seven Party Agreement"), which established the following priorities within California:

CALIFORNIA SEVEN-PARTY AGREEMENT

Priority	Description	Acre-feet annually
1	Palo Verde Irrigation District—gross area of 104,500 acres
2	Yuma Project (Reservation Division)—not exceeding a gross area of 25,000 acres
3(a)	Imperial Irrigation District and lands in Imperial and Coachella Valleys to be served by the All-American Canal.	3,850,000
3(b)	Palo Verde Irrigation District—16,000 acres of mesa lands
4	Metropolitan Water District and/or City of Los Angeles and/or others on coastal plain.	550,000
5(a)	Metropolitan Water District and/or City of Los Angeles and/or others on coastal plain.	550,000
5(b)	City and/or County of San Diego ¹	112,000
6(a)	Imperial Irrigation District and lands in Imperial and Coachella Valley
6(b)	Palo Verde Irrigation District—16,000 acres of mesa lands	300,000
7	Agricultural Use in the Colorado River Basin in California
Total	5,362,000

¹ In 1946, the City of San Diego, San Diego County Water Authority, Metropolitan Water District and the Secretary entered into a contract in which the right to storage and delivery of Colorado River water vested in the City of San Diego was merged with and added to the rights of the Metropolitan Water District under conditions since satisfied.

The California Seven-Party Agreement thus allocated water both within California's limitation of 4.4 maf per year, as well as surplus water above that amount. Only about one-half of the water under Priorities 4, 5(a) and 5(b) diverted by the Metropolitan Water District of Southern California (the "MWD") through its Colorado River Aqueduct is within the 4.4 maf limitation. Diversions under Priorities 5(a) and (b) are dependent upon surplus water being made available. The amounts of water allocated to Priorities 1, 2, 3(a) and 3(b) were not quantified by priority, but were aggregated to not exceed 3.85 maf.

In 1964, the U.S. Supreme Court entered its Decree in *Arizona v. California*, 376 U.S. 340 (1964) (the "Decree"), pursuant to its Opinion in the same case, 373 U.S. 546 (1963). The Decree and the Court's Opinion confirmed and ordered the apportionment by the BCPA of water available for release from water controlled by the United States in the mainstream of the Colorado River downstream from Lee Ferry and within the United States to the states of Arizona (2.8 maf per year); California (4.4 maf per year); and Nevada (0.3 maf per year). The Decree also established certain federal reserved rights, and provided for the quantification of present perfected rights, all to be

supplied from the apportionments decreed to each of the respective states. The Decree enjoins the Secretary from releasing mainstream water controlled by the United States for irrigation and domestic use in the Lower Division States (Arizona, California and Nevada) except in the following circumstances:

1. If sufficient mainstream water is available for release to satisfy 7.5 maf of annual consumptive use in the three Lower Division States, such water shall be made available in accordance with the basic apportionments set forth above. This is referred to as a "Normal Year." (Article II(B)(1)).

2. If sufficient mainstream water is available for release to satisfy in excess of 7.5 maf of annual consumptive use in the three Lower Division States, water in excess of 7.5 maf shall be apportioned 50% for use in Arizona and 50% for use in California; provided, however, that in the event the United States so contracts with Nevada (which it has) then 46% of such surplus is apportioned for use in Arizona and 4% of such surplus is apportioned for use in Nevada. This is referred to as a "Surplus Year." (Article II(B)(2)).

3. If insufficient mainstream water is available for release to satisfy 7.5 maf of annual consumptive use in the three Lower Division States, then after satisfying present perfected rights in order of priority, such water shall be

apportioned consistent with the BCPA and the opinion of the Court, but in no event shall more than 4.4 maf be apportioned for use in California including all present perfected rights. Under § 301(b) of the Colorado River Basin Project Act of 1968, 82 Stat. 885, diversions from the Colorado River for the Central Arizona Project (the "CAP") shall be so limited as to assure the availability of water in quantities sufficient to provide for the aggregate annual consumptive use by holders of present perfected rights, by other users in the State of California served under existing contracts with the United States by diversion works theretofore constructed, and by other existing Federal reservations in that State, of 4.4 maf, and by users of the same character in Arizona and Nevada. This is referred to as a "Shortage Year." (Article II(B)(3)).

4. If, in any one year, water apportioned for consumptive use in a State will not be consumed in that State, the Secretary may make available such apportioned but unused water during such year for consumptive use in another Lower Division State. No rights to the recurrent use of such water shall accrue by reason of the use thereof. (Article II(B)(6))

In the *Criteria for Coordinated Long-Range Operation of Colorado River Reservoirs Pursuant to the Colorado*

River Basin Project Act of September 30, 1968 (P.L. 90-537) (the "Criteria"), the Secretary adopted Criteria implementing his authorities under the BCPA, as enjoined by the Decree.

Article III of the Criteria provides for the determination of Normal, Surplus and Shortage conditions for the release from Lake Mead of mainstream water downstream from Lee Ferry for use in the Lower Division States.

B. California's basic annual mainstream apportionment of Colorado River water is 4.4 maf, whereas its use of Colorado River water has ranged from 4.2 to 5.2 maf since 1975. In the past, California was able to consumptively use water above its basic annual apportionment because the water use by both Arizona and Nevada was below their basic annual apportionments.

In 1991 and 1992, as California faced its fifth and sixth consecutive years of severe drought, entities in California were able to divert all of the water that they requested or could transport from the Colorado River within the Lower Basin's apportionment. However, Nevada's Colorado River water use was forecasted to exceed its basic apportionment of 300,000 acre-feet ("af") in the first decade of the 21st century, and Arizona's water use was projected to reach its basic annual apportionment of 2.8 maf. This meant that, in the future, without the Secretary declaring a Surplus condition, California's use of Colorado River water would be limited to its 4.4 maf basic apportionment, some 750,000 af less than its forecasted use of Colorado River water. The bulk of any mandated reduction in California's water use would occur within the priorities held by MWD, which serves the coastal plain of southern California through its Colorado River Aqueduct.

Since 1964, California has made significant investments to offset the eventual reduction in available Colorado River water. These investments have included: developing additional sources of imported water, conservation (demand reduction and use efficiency improvements), surface and groundwater storage, local supplies, conjunctive use programs, reclaimed water projects, and recovery and treatment of contaminated groundwater. While these investments have significantly increased supplies and reduced demand for imported water, they have not been adequate to offset the reduction of Colorado River water to 4.4 maf per year, when considered in conjunction with population increases and the reduction in dependable State Water Project (the "SWP") and Los Angeles Aqueduct supplies. This reality

has fueled further efforts to maximize the beneficial use of Colorado River water in California through cooperative conservation programs and transfers of conserved water.

C. Nevada is quickly approaching full use of its 0.3 maf basic apportionment. Nevada's basic apportionment is projected to meet its domestic needs (excluding groundwater recharge) until approximately 2007. Also, Nevada has a need for additional water above its basic apportionment before 2007 for groundwater recharge in local groundwater basins.

Nevada's long-term options for additional water supply include surplus Colorado River water, participation in the Arizona groundwater bank, a number of in-state options such as the Muddy and Virgin Rivers, recovery and treatment of poor quality shallow groundwater, import of groundwater from basins within Nevada, and recovery of water from local groundwater banks. Nevada projects that even with an aggressive water conservation program it will need additional water for domestic needs in about 2007 and the need will steadily increase to almost 40,000 af in 2016. Nevada also projects it could use an additional 30,000 to 50,000 af per year for local groundwater recharge when surplus supplies are available.

D. Arizona's Lower Basin apportionment is divided among a number of major agricultural, Indian, and municipal contractors. Geographically, there are numerous diversions by contractors located along the River corridor and there is the singular diversion by the CAP which delivers water through a series of aqueducts to the interior portion of the State.

Arizona's uses of Colorado River water are increasing rapidly, but primarily because the CAP, which was declared substantially complete in the early 1990's, is becoming more fully utilized. In contrast, uses by contractors located along the Colorado River in the Yuma and Parker areas have been developed for many years and their consumption has been stable. Increased municipal growth in the Yuma and Mohave County areas will gradually increase water demands over a period of many years, but some of the growth will result in a corresponding decrease in agricultural demand as farm lands are subdivided and urbanized. On-reservation uses by Indian Tribes located in proximity to the River are also well established, although the potential for increased consumptive use exists, especially on the Colorado River Indian Tribes (the "CRIT") Reservation.

CAP water uses will increase over time as municipal and Indian contractors complete necessary water treatment and delivery infrastructure. In the meantime, the CAP will deliver significant quantities of water to irrigation districts who will use the water to displace groundwater supplies. Arizona has also developed a major capability to use CAP water that would otherwise be unordered, for groundwater recharge activities. The largest purchaser of water for recharge purposes is the Arizona Water Banking Authority (the "AWBA"), whose primary purpose is to firm municipal CAP water deliveries.

E. In January 1986, the Bureau of Reclamation (Reclamation) issued a special report titled *Colorado River—Alternative Operating Strategies for Distributing Surplus Water and Avoiding Spills*. This report suggested operating strategies for avoiding Lake Mead spills that went beyond the *Field Working Agreement between the Bureau of Reclamation and the Army Corps of Engineers for Flood Control Operation of Hoover Dam and Lake Mead*, but were, in essence, based on similar principles. Under one of these strategies, limited surpluses would be determined based on the need to provide adequate storage capacity for an assumed runoff rather than the actual yearly forecast in order to reduce the probability of reservoir spills.

One of the alternatives considered assumed that runoff to be the value of the 70th percentile of exceedance based on the historic record, which is equivalent to about 17.331 maf runoff above Lake Powell. This strategy was named OS 0.70 ("70R") or "space building to avoid reservoir spills" in the 1986 report. This and other strategies have been utilized for long-range operation projections since 1986.

F. On October 18, 1999, the respective boards of Coachella Valley Water District ("CVWD"), Imperial Irrigation District ("IID"), MWD and the State of California released the Key Terms for Quantification Settlement (the "Key Terms") as the basis for obtaining public input and completing a Quantification Settlement Agreement ("Settlement Agreement") among the districts. The Settlement Agreement provides the basis for California to reduce its reliance on Colorado River water above its basic apportionment. The agreement further will quantify the rights and uses of Colorado River water by designating water budgets for CVWD, IID, and MWD. The quantification of the rights and uses of water with respect to priorities 3 and 6 of the 1931 California Seven Party Agreement is designed to

help facilitate implementation of cooperative water supply programs, and provide a quantified baseline from which conservation and transfer programs can be measured. The Settlement Agreement is expected to be fully executed in January 2001, after the conditions precedent contained in the Key Terms have been satisfied.

California's Colorado River Water Use Plan (the "Plan"), is a framework by which programs, projects, actions, policies and other activities would be coordinated and cooperatively implemented allowing California to meet its Colorado River water needs within its basic apportionment in Normal years.

The Plan describes resource and financial investments and provides overall coordination on important initiatives undertaken by the Colorado River Board of California member agencies and others. The diverse components of the Plan are designed to help protect and optimize California's Colorado River resources. Some of these are associated components, meaning that they don't directly involve Colorado River water but are needed by implementing entities to meet their water needs within California's Colorado River water apportionment. The components of the Plan are broad in scope addressing both quantity and quality of California's share of Colorado River water.

The California agencies with Colorado River rights and contractual interests are the principal implementing entities for the programs and projects described in the Plan, and for obtaining the necessary program and project approvals, conducting appropriate environmental reviews, and ensuring compliance with endangered species acts (federal and state).

The Plan is intended to be dynamic and flexible enough to allow for modifications in, and periodic updates to, the framework when and where appropriate, and to allow for the substitution of programs and projects within the Plan's components when they have been found to be more cost effective and/or appropriate. Programs undertaken by the California agencies to

transition California's use of Colorado River water to its basic apportionment without potential major water supply and economic disruptions include:

- Further quantification of rights and use of Colorado River water in California where helpful to facilitate the optimum use of California's Colorado River resources;
- Cooperative core water supply programs and voluntary transfers;
- Increased efficiencies in water conveyance and use;
- Water storage and conjunctive use programs to increase normal and dry year water supplies;
- Voluntary water exchanges;
- Administrative actions necessary for effective use and management of water supplies;
- Improved reservoir management and operations;
- Drought and surplus water management plans;
- Coordinated project operations for increased water supply yield; and
- Groundwater management.

The State of California has supported Plan implementation from the General Fund. Most notably, \$235 million was appropriated in 1998 for lining portions of the All American and Coachella Canals (\$200 million) and for groundwater storage and conjunctive use programs (\$35 million) identified in the Plan. Also, between 1996 and 2000, California voters approved historic levels of general obligation bond financing for improving California water supply reliability, water quality and for restoring watershed ecosystems. The funding support provided by the \$995 million Safe, Clean, Reliable Water Supply Act in 1996; the \$2.1 billion Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act in 2000; and the \$1.97 billion Safe Drinking Water, Clean Water, Watershed Protection and Flood Protection Act in 2000 extend to the implementation of the Plan.

The proposed Settlement Agreement, other proposed interagency agreements and associated implementation agreement(s) with the Secretary, together with the Secretary's administration of water rights and use

below Glen Canyon Dam, constitute the principal binding and enforceable provisions of the Plan. Provisions regarding third and sixth priority use provide the mechanisms needed to help facilitate the voluntary shift of approximately 380,000 af per year from agricultural use to urban use on the coastal plain of Southern California and the needed quantified baseline by which such programs can be measured.

The Settlement Agreement, when fully executed, provides the basis for California to meet its Colorado River water supply needs from within its annual apportionment of Colorado River water. Specific terms of the settlement include:

- A shift of 380,000 acre-feet per year from agriculture to urban use, through water acquisitions from IID and CVWD to MWD and SDCWA and forbearance of the use of 38,000 acre-feet per year of 6th priority water by IID and CVWD for MWD's use;
- Caps on use of water by IID and CVWD under the third priority at 3.1 maf and 0.33 maf, respectively;
- The exclusive right for MWD to utilize all water below 420,000 acre-feet per year unused by the Palo Verde Irrigation District and the Yuma Project-Reservation Division collectively;
- A permanent water supply of 16,000 acre-feet per year for the San Luis Rey (the "SLR") Indian Water Rights Settlement, from the All American and Coachella Canal Lining Projects;
- Deductions from IID, CVWD, and MWD's supplies to permit the Secretary to satisfy use of miscellaneous and Indian present perfected rights by holders of those rights as they were not addressed in the 1931 Seven-Party Agreement, the majority of the rights having been quantified in 1979; and
- A net yield of up to 90,000 acre-feet per year from the IID-MWD Conservation Program for MWD over a period of up to approximately 75 years.

Table 1 summarizes the yields and estimated start dates of the core cooperative voluntary water conservation/transfer projects and associated exchanges:

TABLE 1.—COOPERATIVE WATER CONSERVATION/TRANSFER PROJECTS

Cooperative water conservation/transfer projects	Annual yield (af)	Estimated start date
MWD/IID 1988 Water Conservation Program	100,000–110,000 ²	(¹)
SDCWA/IID Transfer and SDCWA/MWD Exchange	130,000–200,000 ³	2002
MWD/CVWD SWP Water Transfer/Colorado River Water Exchange	35,000	2003
Coachella Canal Lining-MWD/SLR ⁴	26,000	⁵ 2005
All American Canal Lining-MWD/SLR ³	367,700	⁴ 2006

TABLE 1.—COOPERATIVE WATER CONSERVATION/TRANSFER PROJECTS—Continued

Cooperative water conservation/transfer projects	Annual yield (af)	Estimated start date
IID/CVWD/MWD Conservation Program	100,000 ⁶	2007

¹ Complete.² Yield to MWD, except for 20,000 af per year to be made available to CVWD.³ Yield to SDCWA.⁴ Yield to MWD and San Luis Rey Indian Water Rights Settlement Parties.⁵ Date by which full conservation benefits will be achieved.⁶ Yield to CVWD, MWD has an option to acquire water CVWD does not need. MWD assumes responsibility for 50,000 af per year to CVWD after year 45 of the Settlement Agreement.

The agencies' Colorado River entitlement water use budgets are adjusted for each increment of transfer, resulting in an overall reduced use of Colorado River water by California. There is approximately a 20-year transition period before the core water conservation/transfers are fully implemented. All of the core conservation/transfers to the coastal plain of southern California are proposed to occur within a ten-year implementation period.

The agencies responsible for implementing the components of the Plan intend to move forward as quickly as possible. In a number of cases, environmental documentation must be prepared and, in certain cases, permits and approvals must be secured from state and/or federal agencies to permit projects to move forward. It should be understood that some components and/or associated components may be modified but would still produce the same conceptual results, or that other options may be substituted if they are found to be more effective and appropriate. There are also related activities, such as the Salton Sea (the "Sea") restoration efforts. Congress specified in Public Law 105-372 that alternatives to restore the Sea should not include importation of any new or additional water from the Colorado River and should account for the transfer of water out of the Salton Sea Basin.

The Plan also includes consideration of environmental factors. Implementation of the Plan will reduce California's reliance on the Colorado River without severe dislocations in either urban or agricultural areas. Fundamentally, programs and projects in the Plan are not designed to increase water supplies to accommodate increased population growth. Thus, their implementation will not stimulate new growth, foster unplanned urban development, affect demands on local or regional transportation systems, require new public services and utilities, or create long-term increases in ambient noise levels. Their implementation will

make a *de minimis* contribution to cumulative land use impacts and have a *de minimis* effect on associated socioeconomic resources, such as employment, earnings, and housing. The Plan and the accompanying Settlement Agreement programs and projects are designed to preserve the ability to meet existing needs while diverting less water from the Colorado River.

In accordance with the Plan, California's use of Colorado River water during the Interim Period will decline over time. During the Interim Period (2002–2016), MWD will use surplus water, when available, to meet direct water supply demands on the coastal plain while programs and projects in the Plan are implemented, as well as to provide a source of water for conjunctive use and storage programs. Following the Interim Period, beyond 2016, MWD's water supply demands will be met from occasional years of surplus water, conjunctive use and storage withdrawals, dry year transfers, and other water acquisitions.

California expects to have the projects shown in Table 1 yield the following amounts of water in the years shown:

Date	Acre feet
2006	340,000
2011	460,000
2016	490,000
2021	510,000
2026	540,000

II. Authority and Purpose

The purpose of these Guidelines is to provide direction for an Interim Period for the annual determination by the Secretary of Normal, Surplus, and Shortage conditions for the pumping or release from Lake Mead of mainstream water downstream from Lee Ferry for use in the Lower Division States. These Guidelines are used under the authority of the Boulder Canyon Project Act of 1928 (28 Stat. 1057) (the "BCPA"), the Decree in *Arizona v. California*, 376 U. S. 340 (1964) (the "Decree") and in furtherance of Article III of the *Criteria*

for the Coordinated Long-Range Operation of Colorado River Reservoirs Pursuant to the Colorado River Basin Project Act of September 30, 1968 (P.L. 90-537) (the "Criteria"). Additionally, these Guidelines rely on the authority of the Secretary to make apportioned but unused water in one Lower Division State available for use for irrigation and domestic uses in another state under Article II(B)(6) of the Decree. These Guidelines are adopted for the purpose of providing enhanced domestic water supply reliability in the Lower Division States during a transition period ending December 31, 2016 (the "Interim Period"), in accordance with the priorities contained in water delivery contracts or agreements.

These Guidelines become effective only when the Settlement Agreement becomes effective. The Guidelines include triggers that will implement Normal, Surplus or Shortage deliveries at specified target elevations of storage in Lake Mead. They also include benchmarks, reporting mechanisms and reviews by which California and agencies within California will demonstrate measurable and defined progress in meeting the goals of the California's Plan described herein. If sufficient progress is not being made, these Guidelines will automatically terminate.

The State of California and its affected agencies have recognized and agreed upon, and the Secretary has agreed with, the plan for implementation of agreements that will increase the efficiency of use within Priorities 1 through 3 of the California Seven-Party Agreement of August 18, 1931, and thereby reduce the amount of water required for irrigation and potable uses under such priorities. Savings shall be made available for use on the coastal plain of Southern California within California's basic annual apportionment of 4.4 maf.

These Guidelines include measures to be undertaken by MWD to provide reparation to Arizona for increased water supply shortages associated with interim operations, both during the

effective period and for so long thereafter as such risk is present. During the Interim Period and after the termination of these Guidelines, the Secretary will withhold, deliver and account for water in accordance with such described reparation.

These Guidelines are not intended to, and do not:

- Guarantee or assure any water user a firm supply for any specified period;
- Change or expand existing authorities under the body of law known as the "Law of the River";
- Address intrastate storage or intrastate distribution of water;
- Change the apportionments made for use within individual States, or in any way impair or impede the right of the Upper Basin to consumptively use water available to that Basin under the Compact;
- Affect any obligation of any Upper Division State under the Colorado River Compact;
- Affect any right of any State or of the United States under § 14 of the Colorado River Storage Project Act of 1956 (70 Stat. 105); § 601(c) of the Colorado River Basin Project Act of 1968 (82 Stat. 885); the California Limitation Act (Act of March 4, 1929; Ch. 16, 48th Sess.); or any other provision of the "Law of the River"; or
- Affect the rights of any holder of present perfected rights or reserved rights, which rights shall be satisfied within the apportionment of the State within which the use is made in accordance with the Decree.

For purposes of these guidelines, the following definitions do apply:

"Domestic" use shall have the meaning defined in the Compact. "Direct Delivery Domestic Use" shall mean direct delivery of water to domestic end users of other municipal and industrial water providers within the contractor's area of normal service, including incidental regulation of Colorado River water supplies within the year of operation but not including Off-stream Banking. "Direct Delivery Domestic Use" for MWD shall include delivery of water to end users within its area of normal service, incidental regulation of Colorado River water supplies within the year of operation, and Off-stream Banking only with water delivered through the Colorado River Aqueduct. "Off-stream Banking" shall mean the diversion of Colorado River water to underground storage facilities for use in subsequent years from the facility used by a contractor diverting such water.

III. Allocation of Unused Apportionment Water Under Article II(B)(6)

Article II(B)(6) of the Decree allows the Secretary to allocate water that is apportioned to one Lower Division State, but is for any reason unused in that State, to another Lower Division State. This determination is made for one year only and no rights to recurrent use of the water accrue to the state that receives the allocated water. Historically, this provision of the Decree has been used to allocate Arizona's and Nevada's apportioned but unused water to California.

Water use projections made for the analysis of these interim Guidelines indicate that neither California nor Nevada is likely to have significant volumes of apportioned but unused water during the Interim Period. Depending upon the requirements of the AWBA for intrastate and interstate Off-Stream Banking, Arizona may have significant amounts of apportioned but unused water.

Before making a determination of an interim Surplus condition under these Guidelines, the Secretary will determine the quantity of apportioned but unused water from the basic apportionments under Article II(B)(6), and will allocate such water in the following order of priority:

1. Meet the Direct Delivery Domestic Use requirements of Metropolitan Water District of Southern California ("MWD") and Southern Nevada Water Authority ("SNWA"), allocated as agreed by said agencies;
2. Meet the needs for Off-stream Banking activities in California by MWD and in Nevada by SNWA, allocated as agreed by said agencies; and
3. Meet the other needs for water in California in accordance with the California Seven-Party Agreement as supplemented by the Settlement Agreement.

IV. Determination of Lake Mead Operation During the Interim Period

A. Normal

In years when available Lake Mead storage is projected to be at or below elevation 1,125 ft. and above the Shortage triggering level on January 1, the Secretary shall determine a Normal year.

B. Surplus

1. *Partial Domestic Surplus:* In years when Lake Mead storage is projected to be between elevation 1125 ft. and elevation 1145 ft. on January 1, the Secretary shall determine a Partial

Domestic Surplus. The amount of such Surplus shall equal:

a. For Direct Delivery Domestic Use by MWD, 1.212 maf reduced by: 1.) the amount of basic apportionment available to MWD and 2.) the amount of its domestic demand which MWD offsets in such year by offstream groundwater withdrawals or other options. The amount offset under 2.) shall not be less than 400,000 af in 2001 and will be reduced by 20,000 af/yr over the Interim Period so as to equal 100,000 af in 2016.

b. For use by SNWA, one-half of the Direct Delivery Domestic Use within the SNWA service area in excess of the State of Nevada's basic apportionment.

c. For Arizona, one-half of the Direct Delivery Domestic Use in excess of the State of Arizona's basic apportionment.

2. *Full Domestic Surplus:* In years when Lake Mead content is projected to be above elevation 1145 ft., but less than the amount which would initiate a Surplus under B.3 or B.4 hereof on January 1, the Secretary shall determine a Full Domestic Surplus. The amount of such Surplus shall equal:

a. For Direct Delivery Domestic Use by MWD, 1.250 maf reduced by the amount of basic apportionment available to MWD.

b. For use by SNWA, the Direct Delivery Domestic Use within the SNWA service area in excess of the State of Nevada's basic apportionment.

c. For use in Arizona, the Direct Delivery Domestic Use in excess of Arizona's basic apportionment.

3. *Quantified Surplus:* In years when the Secretary determines that water should be released for beneficial consumptive use to reduce the risk of potential reservoir spills based on the OS 0.70 alternative strategy ("70R") as described in the Bureau of Reclamation's *CRS Sez Annual Colorado River System Simulation Model Overview and Users Manual*, revised May 1998, the Secretary shall determine and allocate a Quantified Surplus sequentially as follows:

a. Establish the volume of the Quantified Surplus.

b. Allocate and distribute the Quantified Surplus 50% to California, 46% to Arizona and 4% to Nevada, subject to c. through g. that follow.

c. Distribute California's share first to meet basic apportionment demands and MWD's Direct Delivery Domestic Use and Off-stream Banking demands, and then to California Priorities 6 and 7 and other surplus contracts. Distribute Nevada's share first to meet basic apportionment demands and then to the remaining Direct Delivery Domestic Use and Off-stream Banking demands.

Distribute Arizona's share to surplus demands in Arizona including Off-stream Banking and interstate banking demands. Arizona, California and Nevada agree that Nevada would get first priority for interstate banking in Arizona.

d. Distribute any unused share of the Quantified Surplus in accordance with Section III, *Allocation of Unused Apportionment Water Under Article II(B)(6)*.

e. Determine whether MWD, SNWA and Arizona have received the amount of water they would have received under Section IV.B.2., *Full Domestic Surplus* if a Quantified Surplus had not been declared. If they have not, then determine and meet all demands provided for in Section IV.B.2. (a), (b) and (c).

f. Any remaining water shall remain in storage in Lake Mead.

4. *Flood Control Surplus*: In years in which the *Field Working Agreement between the Bureau of Reclamation and the Army Corps of Engineers for Flood Control Operation of Hoover Dam and Lake Mead* requires releases greater than the downstream beneficial consumptive use demands, the Secretary shall determine a Flood Control Surplus in that year or the subsequent year. In such years, releases will be made to satisfy all beneficial uses within the United States, including unlimited off-stream groundwater banking, and section 215 deliveries under the Reclamation Reform Act of 1982 (96 Stat. 1263) (the "RRA"). After all beneficial uses within the United States have been met, the Secretary shall notify the United States Section of the International Boundary and Water Commission that there may be a surplus of water as provided in Article 10 of the Mexican Water Treaty of 1944.

C. Shortage

In a year when the Secretary projects that future water supply and demands would create a 20% or greater probability that Lake Mead would drop below elevation 1050 feet in a year prior to or in the year 2050, the Secretary shall determine a Shortage. This strategy is defined in the Bureau of Reclamation's *CRSSez Annual Colorado River System Simulation Model Overview and Users Manual*, revised May 1998. In any year when a shortage is declared, the Secretary shall deliver no more than 4.4 maf for consumptive use in California and no more than 2.3 maf for consumptive use in Arizona. Nevada shall share in shortages as required by law. If reservoir conditions continue to deteriorate, the Secretary

may require additional reductions in accordance with the Decree and law.

V. *Determination of 602(a) Storage in Lake Powell During the Interim Period*

During the Interim Period, 602(a) storage requirements determined in accordance with Article II (1) of the Criteria shall utilize a value of not less than 14.85 maf (elevation 3630 feet) for Lake Powell.

VI. *Implementation of Guidelines*

During the Interim Period the Secretary shall utilize the currently established process for development of the Annual Operating Plan for the Colorado River System Reservoirs ("AOP") and use these Guidelines to make determinations regarding Normal, Surplus, and Shortage conditions for the operation of Lake Mead and to allocate apportioned but unused water. The Secretary also shall apply, as appropriate, the provisions of these Guidelines related to reparation and termination. The operation of the other Colorado River System reservoirs and determinations associated with development of the AOP shall be in accordance with the Colorado River Basin Project Act of 1968, the Criteria, and other applicable laws.

In order to allow for better overall water management during the Interim Period, the Secretary shall undertake a "mid-year review" allowing for the revision of the current AOP, as appropriate based on actual runoff conditions which are greater than projected, or demands which are lower than projected. The Secretary shall revise the determination for the current year only to allow for additional deliveries. Any revision in the AOP may occur only after a re-initiation of the AOP consultation process as required by law.

As part of the AOP process during the Interim Period, California shall report to the Secretary on its progress in implementing the Plan.

VII. *Reparation for Increased Water Supply Shortages*

It is possible that the operation of Lake Mead under these Guidelines will result in the Secretary determining a shortage condition more frequently, or for a shortage to be more severe, or for a shortage to be longer in duration than would otherwise have occurred, during the Interim Period or thereafter. During the Interim Period, if the Secretary makes a shortage determination in which deliveries to Arizona would be reduced, and if MWD has diverted water under IV. B.1 and/or IV. B.2 herein, MWD has agreed to forbear the delivery

off the River of 500,000 af per year, unless otherwise agreed by MWD and Arizona. The holders of Priorities 6 and 7 under the California Seven-Party Agreement and Nevada have waived any claim to such water. After the Interim Period, if the Secretary makes a shortage determination in which deliveries to Arizona would be reduced and, if MWD has diverted water under IV. B.1 and/or IV. B.2 herein, MWD has agreed to forbear the delivery off the river of an amount of water equal to such reductions to Arizona, unless otherwise agreed by MWD and Arizona. The holders of Priorities 6 and 7 under the California Seven-Party Agreement and Nevada have waived any claim to such water.

The total amount of water forborne by MWD during or after the Interim Period pursuant to these guidelines shall not exceed one maf.

The reparation obligation of MWD shall terminate at such time after the Interim Period that the Secretary determines a Surplus based on the Flood Control strategy or as otherwise agreed by MWD and Arizona.

VIII. *Termination of Guidelines*

These Guidelines shall terminate:

A. On December 31, 2016, or

B. In the event California has not implemented conservation measures as set forth in the Settlement Agreement, which actually reduce its need for surplus Colorado River water by the following amounts by the date indicated:

Date	Acre feet
January 1, 2006	280,000
January 1, 2011	380,000

In such event, the Bureau of Reclamation shall account for the total volume of Colorado River water diverted into underground storage from the Colorado River Aqueduct by and for the benefit of MWD under any Full Domestic Surplus determination. MWD has agreed to forbear diversions in an amount equal to such volume in the next following Normal or Shortage year(s) in an amount not to exceed 200,000 af per year, and the holders of Priorities 6 and 7 under the California Seven-Party Agreement have waived any claim to such water. Such obligation shall be terminated in the first year that the Secretary determines a Surplus under a 70R strategy or a Flood Control strategy.

Upon termination, Lake Mead operations, for the purpose of determining Surplus, shall immediately revert to 70R. Note: We will prepare a

separate document describing inadvertent overruns and average decree accounting that may be incorporated into the criteria or adopted separately.”

Dated: August 3, 2000.

Eluid L. Martinez,

Commissioner, Bureau of Reclamation.

[FR Doc. 00-20033 Filed 8-7-00; 8:45 am]

BILLING CODE 4310-MN-P

DEPARTMENT OF JUSTICE

Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”)

Notice is hereby given that nine proposed consent decrees in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S, and consolidated action *Exide Corporation and Johnson Controls, Inc. v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, were lodged on August 1, 2000 with the United States District Court for the Northern District of Alabama, Southern Division.

In these actions, the United States has sought recovery of response costs under section 107 of CERCLA, 42 U.S.C. 9607, and Exide Corporation and Johnson Controls, Inc. have sought recovery of response costs under section 113 of CERCLA, 42 U.S.C. 9613, against over forty defendants with respect to the Interstate Lead Company (“ILCO”) Superfund Site, located in Leeds, Jefferson County, Alabama (“the Site”).

The United States has now agreed to settlement of its claims under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, for existing contamination at the Site with respect to nine defendants: (1) Arch Metals, Inc.; (2) Del’s Metals Co., Inc.; (3) Harry Gordon Scrap Materials, Inc.; (4) Kar-Life Battery Company, Inc.; (5) Lead Products Co., Inc.; (6) Mixon, Inc.; (7) Mountain Metal Company, Inc.; (8) T.A. Pollack Co., Inc.; and (9) Wooster Iron & Metal Company f/k/a Metallica Recycling, Inc. Under the consent decrees, the companies will pay the following amounts to the United States: (1) \$17,000 for Arch Metals, Inc.; (2) \$20,400 for Del’s Metals, Inc.; (3) \$83,640 for Harry Gordon Scrap Materials, Inc.; (4) \$11,560 for Kar-Life Battery Company, Inc.; (5) \$90,870 for Lead Products Co., Inc.; (6) \$17,820 for Mixon, Inc.; (7) \$170,000 for Mountain Metal Company, Inc.; (8) \$14,500 for T.A. Pollack Co., Inc. and (9) \$63,933 for Wooster Iron & Metal Company f/k/a Metallica Recycling, Inc.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, P.O. Box 7611, Department of Justice, Washington, D.C. 20044, and should refer to *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S, and consolidated action *Exide Corporation and Johnson Controls, Inc. v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, and DOJ # 90-11-2-108/2.

Any of the proposed consent decrees may be examined at the Office of the United States Attorney, Northern District of Alabama, 200 Robert S. Vance Federal Building & Courthouse, 1800 5th Ave. N., Room 200, Birmingham, AL 35203-2198, and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W. Atlanta, Georgia 30303. A copy of any of the proposed Consent Decrees also may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page reproduction costs) per Consent Decree, payable to the Consent Decree Library.

Bruce S. Gelber,

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 00-19950 Filed 8-7-00; 8:45 am]

BILLING CODE 4410-15-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 040-08778]

Finding of No Significant Impact Related to Amendment of Source Materials License SMB-1393 Molycorp, Inc., Washington, PA, Facility

The U.S. Nuclear Regulatory Commission (NRC) is considering issuing an amendment to Source Materials License No. SMB-1393 issued to Molycorp, Inc. (Molycorp or licensee), to authorize decommissioning of its facility in Washington, Pennsylvania. In preparation for cleanup of the site, Molycorp submitted its initial decommissioning plan (DP) to the NRC in July 1995. The DP has been supplemented twice: (1) First on June 30, 1999, (DP Part 1) to reflect the licensee’s intent to decommission a portion of the site using cleanup criteria contained in NRC’s “Action Plan to

Ensure Timely Cleanup of Site Decommissioning Management Plan Sites” (SDMP Action Plan) (57 **Federal Register** 13389); and (2) on July 14, 2000, (DP part 2) for that portion of the site intended to meet the requirements of the License Termination Rule (LTR) in 10 CFR part 20, Subpart E, “Radiological Criteria for License Termination,” published in July 1997 (62 **Federal Register** 39057).

Environmental Assessment Summary

This Environmental Assessment (EA) addresses only the part 1 decommissioning. Part 2 will be the subject of a separate evaluation. Under the Part 1 DP (hereafter, decommissioning plan) Molycorp, Inc., will remediate contaminated soils on the main facility grounds and at a separate location where slag materials have been concentrated by past operations (*i.e.*, slag pile) to unrestricted release levels. The decision to dispose of the materials on site will be addressed in part 2.

This EA reviews the environmental impacts of the decommissioning actions proposed by Molycorp, Inc. in the decommissioning plan (part 1) for its facility located in Washington, Pennsylvania. In connection with the review of plans for the proposed action, NRC staff is preparing a safety evaluation report (SER), that evaluates compliance of the proposed action with NRC regulations. On issuance, the SER will be available in NRC’s Electronic Reading Room, on NRC’s Web site <http://www.nrc.gov/adams/index.html>.

Proposed Action

The decommissioning activities proposed by Molycorp include:

- Identify the location, depth, and thickness of areas containing greater than 10 picoCuries per gram (0.37 Becquerels per gram) total thorium.
- Mobilize equipment, set up decontamination facilities, and implement erosion control measures in preparation for excavation activities.
- Survey the site area to establish spatial coordinates of contaminated areas identified from site characterization radiological surveys.
- Excavate clean overburden and stockpile onsite.
- Excavate all soil and slag containing average contamination levels in excess of the unrestricted use criteria.
- Stockpile excavated material in preparation for loading onto transports. Stockpiling duration is estimated at two weeks. Excavation and stockpiling of waste will not occur until NRC has approved a disposal location for the waste.

- Imperial Public Library, 200 W. 9th Street, Imperial, California; telephone: (760) 355-1332
- Indio Branch Library, 200 Civic Center Mall, Indio, California; telephone: (760) 347-2383
- Palm Springs Library, 300 S. Sunrise Way, Palm Springs, California; telephone: (760) 322-7323
- San Diego Central Library, 820 E Street, San Diego, California; telephone: (619) 236-5800
- Los Angeles Public Library, 630 W. Fifth Street, Los Angeles, California 90071; telephone: (213) 228-7000

SUPPLEMENTARY INFORMATION: This DEIS/DEIR is a revised and updated version of a DEIS/DEIR for the Coachella Canal Lining Project filed by Reclamation and the CVWD and issued for public comment on January 11, 1994. At that time, because of funding constraints, construction of the project was deferred, and a Final EIS/EIR was not completed. The proposed action evaluated in the revised DEIS/DEIR is the same as in the previous document—to install a concrete lining within the existing cross-section of unlined portions of the canal (33.2 miles) using conventional construction methods and diverting water around each section while it is being lined. Alternatives evaluated in the DEIS/DEIR, also the same as in the original DEIS/DEIR, include No Action, Underwater Lining, and Parallel Canal Construction.

The purpose of this federal action is to conserve 30,850 acre-feet annually of water presently being lost as seepage from the earthen reaches of the Coachella Canal. A specific quantity of conserved water would be assigned to the Department of the Interior to facilitate implementation of the San Luis Rey Indian Water Rights Settlement Act (Public Law 100-675, November 17, 1988). Remaining quantities of conserved water would be distributed to southern California to meet present water demand and to assist the State in attaining the goals of California's Colorado River Water Use Plan. The federal action includes approval of transfers and exchanges of conserved Coachella canal water among California's Colorado River water contractors.

Dated: September 13, 2000.

Robert W. Johnson,
Regional Director.

[FR Doc. 00-24425 Filed 9-21-00; 8:45 am]

BILLING CODE 4310-MN-P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Colorado River Interim Surplus Criteria; Correction

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of correction to published **Federal Register** notice of availability.

SUMMARY: The Bureau of Reclamation is correcting information published in the **Federal Register** issue date of Tuesday, August 8, 2000 (Vol. 65, No. 153).

FOR FURTHER INFORMATION CONTACT: For additional information, contact Ms. Jayne Harkins at (702) 293-8785.

SUPPLEMENTARY INFORMATION: On page 48534, in Table 1., "Cooperative Water Conservation/Transfer Projects", under the column labeled "Cooperative water conservation/transfer projects", the footnote for "All American Canal Lining-MWD/SLR" should be "4" instead of "3." In the "Estimated start date" column of the same table, the footnote for year "2006" should be "5" instead of "4."

On page 48536, in the far right column, subsection "IV.B.3.b." should read "Allocate and distribute the Quantified Surplus 50% to California, 46% to Arizona and 4% to Nevada subject to c. though f. that follow." instead of "* * * subject to c. though g. that follow."

Dated: September 15, 2000.

Robert W. Johnson,
Regional Director.

[FR Doc. 00-24424 Filed 9-21-00; 8:45 am]

BILLING CODE 4310-MN-P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Notice of Proposed Information Collection

AGENCY: Office of Surface Mining Reclamation and Enforcement.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing its intention to renew its authority to collect information for the permanent program inspection and enforcement procedures at 30 CFR Part 840.

DATES: Comments on the proposed information collection must be received

by November 21, 2000, to be assured of consideration.

ADDRESSES: Comments may be mailed to John A. Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW., Room 210-SIB, Washington, DC 20240. Comments may also be submitted electronically to jtreleas@osmre.gov.

FOR FURTHER INFORMATION CONTACT: To request a copy of the information collection request, explanatory information and related form, contact John A. Trelease, at (202) 208-2783.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities [see 5 CFR 1320.8 (d)]. This notice identifies information collections that OSM will be submitting to OMB for extension. This collection is contained in 30 CFR 840.

OSM has received burden estimates, where appropriate, to reflect current reporting levels or adjustments based on reestimates of burden or respondents. OSM will request a 3-year term of approval for this information collection activity.

Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information. A summary of the public comments will accompany OSM's submission of the information collection request to OMB.

This notice provides the public with 60 days in which to comment on the following information collection activity:

Title: Permanent Program Inspection and Enforcement Procedures, 30 CFR Part 840.

OMB Control Number: 1029-0051.

Abstract: This provision requires the regulatory authority to conduct periodic inspections of coal mining activities, and prepare and maintain inspection reports for public review. This information is necessary to meet the requirements of the Surface Mining Control and Reclamation Act of 1977 and its public participation provisions. Public review assures the public that the State is meeting the requirements for the